

DUBLIN UNIVERSITY COMMISSION.

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REPORT

OF

HER MAJESTY'S COMMISSIONERS,

APPOINTED

TO INQUIRE INTO CERTAIN MATTERS RELATING TO THE COLLEGE  
OF THE HOLY AND UNDIVIDED TRINITY OF QUEEN  
ELIZABETH, NEAR DUBLIN,

WITH

MINUTES OF EVIDENCE AND APPENDIX.

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Presented to both Houses of Parliament by Command of H.

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DUBLIN:

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PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY.

FOR HER MAJESTY'S STATIONERY OFFICE.

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1878.



# TABLE OF CONTENTS.

	Page
COMMISSION, . . . . .	v
COMMISSION EXTENDING THE DURATION OF THE ORIGINAL COMMISSION, . . . . .	vi
REPORT, . . . . .	i

## APPENDIX.

I. Minutes of Evidence, . . . . .	U
II. Statement of the Junior Fellows made previously to issuing of Commission, . . . . .	53
III. Statement of the Provost and Senior Fellows . . . . .	54
IV. Statement respecting a scheme of retirement submitted to the Commissioners by the Junior Fellows, . . . . .	57
V. Statement of claim for compensation of certain Fellows in Holy Orders, . . . . .	59
VI. Statement of the claims of the Church of Ireland with reference to the Divinity School, . . . . .	61
VII. Statement submitted by some of the Fellows, with reference to proposed separation of Divinity School, . . . . .	63
VIII. Statement of the Professors who are not Fellows, . . . . .	63
IX. Statement of the Rev. H. Lloyd, B.D., Provost, . . . . .	66
X. Statement of A. S. Hart, Esq., LL.D., Vice-Provost, . . . . .	67
XI. Statement of the Rev. Thomas Shack, M.A., S.P.C.K., Registrar, . . . . .	68
XII. Statement of the Ven. William Lee, B.D., Archbishop King's Lecturer in Divinity, . . . . .	69
XIII. Letter of the Regius Professor of Divinity to the Registrar of Trinity College, . . . . .	71
XIV. Queries by the Royal Commissioners, with Answers of the Provost and Senior Fellows, . . . . .	72
XV. Query as to Degrees in Divinity, with Answer, . . . . .	76
XVI. Additional Queries with Answers, . . . . .	76
XVII. Further Queries with Answers, . . . . .	77
XVIII. Copy of Patent Roll, 8 James I., . . . . .	79
XIX. Copy of Patent to Purchase four Advowsons, . . . . .	84
XX. Table I.—List of Benefices formerly belonging to Trinity College, with their successive Incumbents, . . . . .	83
Table II.—List of Fellows who retired upon Livings since 1759, . . . . .	83
Table III.—Particulars of application for Compensation for Advowsons, and some awarded by Commissioners, . . . . .	93
Table IV.—Net value of certain Benefices and approximate incomes of the three grades of Junior Fellows at the dates when they last became vacant, . . . . .	94
XXI. Memorandum of the Bazaar, showing amount of Compensation Fund and its application, . . . . .	94
XXII. Judgment of the Church Temporalities Commissioners upon the appeal of the Fellows in Holy Orders, . . . . .	95
XXIII. Letter of the Rev. J. A. Gallenith, F.R.C.S., to the Earl of Belmore, . . . . .	98
XXIV. Balance Sheet, showing expenditure of the College and University, 1872-1876, . . . . .	100
XXV. University Tests Act, 1873, . . . . .	101
INDEX, . . . . .	102



## COMMISSION.

VICTORIA R.

(L.S.)

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith, To Our Right Trusty and Right Well-beloved Cousin and Councillor, SOMERSET RICHARD Earl of Belmore, Our Right Trusty and Well-beloved Councillor, MOUNTFORT LONGFIELD, Esquire, Doctor of Laws, Our Right Trusty and Well-beloved Councillor, STEPHEN WOLFE FLANAGAN, Esquire, Judge of the Landed Estates Court in that part of Our United Kingdom of Great Britain and Ireland called Ireland, Our Trusty and Well-beloved ANDREW MARSHALL PORTER, Esquire, one of Our Counsel Learned in the Law in Ireland, Our Trusty and Well-beloved JOSEPH ALLEN GALBRAITH, Clerk, Master of Arts, Fellow of Trinity College, and Our Trusty and Well-beloved JOHN MULHOLLAND, Esquire, Greeting.

Whereas Our College of the Holy and Undivided Trinity, near Dublin, has recently in pursuance of provisions in that behalf in the Irish Church Act, One Thousand Eight Hundred and Sixty-nine contained, received certain sums of money in compensation for the advowsons and rights of presentation, which previous to the said Act were vested in, and the property of, Our said College; And whereas the loss of patronage connected with such advowsons and rights of presentation will, by rendering less frequent the occurrence of vacancies, delay and prevent the election of Fellows in Our said College, and may thereby injuriously affect the interests of learning in Our said College; And whereas, by the Dublin University Tests Act One Thousand Eight Hundred and Seventy-three, the position of Our said College of the Holy and Undivided Trinity and of the University of Dublin as regards the teaching and granting Degrees in the Faculty of Theology, has been in some respects modified; And whereas, by reason of the premises, We have deemed it expedient that a Commission should forthwith issue for the purpose of inquiring into the several matters hereinafter mentioned,

NOW KNOW YE, that We reposing great Trust and Confidence in your Knowledge, Ability, and Discretion, have authorized and appointed, and do, by these presents, authorize and appoint you, the said SOMERSET RICHARD, Earl of Belmore, MOUNTFORT LONGFIELD, STEPHEN WOLFE FLANAGAN, ANDREW MARSHALL PORTER, JOSEPH ALLEN GALBRAITH, and JOHN MULHOLLAND to be Our Commissioners for inquiring into the amount received by Our said College as Compensation aforesaid, and the remedies proper to be provided for any injurious consequences arising from such loss of Patronage as aforesaid, and whether the said compensation is affected by any equitable claim arising out of the said recited Acts, or from any changes recently made in the condition or constitution of Our said College and University, and also into the Offices of Professors and Lecturers in Divinity in

Recitals.

Appointment of Commissioners.

Subjects of Inquiry:—

1. Amount received as compensation and remedies for consequences of loss of Patronage.

Whether such sums are affected by any equities.

2. Divinity School: Its Officers and Endowments.

Mode of conferring  
Degrees in Theology.  
Expenditure of College  
and University on  
Divinity School.

Propriety of change  
therein.

Proper application of  
Advowson Fund.

General power of In-  
quiry in the premises.

Power to summon and  
examine Witnesses.

Three to form a Quorum

Power to call for and  
examine Books and  
Documents.

Report to be made  
within Twelve Months.

Our said College and University, the endowments and emoluments either of private or public foundation connected with the same respectively, and into the mode of conferring degrees in the Faculty of Theology in Our said University; and into the expenditure of Our said College and University in connexion with the Divinity School, and whether it would be proper that the same respectively should be continued or other provision made in lieu thereof; and having regard to the several inquiries aforesaid and other the premises, also to inquire into the mode in which the said several sums of money so received as Compensation, and the income to arise from the same, respectively, may most properly be applied, and generally to inquire and report in the premises as to you shall seem expedient. And for the better enabling You to carry these Our Royal Intentions into effect, We do, by these Presents, authorize and empower you, or any three or more of you, to call before you, or any three or more of you, such persons as you may judge necessary, by whom you may be the better informed on the matters herein submitted for your consideration; also to call for and examine all such Books, Documents, Papers, and Records, as you shall judge likely to afford you the fullest information on the subject of this Our Commission, and to inquire of and concerning the premises by all lawful ways and means whatsoever.

And it is Our farther Will and Pleasure that you, or any three or more of you, do report to Us in writing, under your hands and seals, within the space of twelve months from the date of these Presents, or sooner, if the same can be reasonably done, your several proceedings by virtue of this Our Commission, together with your opinions touching and concerning the several matters hereby referred for your consideration.

AND WE WILL and Command, and by these Presents ordain, that this Our Commission shall continue in full force, and virtue, and that you, Our said Commissioners, or any three or more of you, may from time to time, proceed in the execution thereof, and of every matter and thing therein contained, although the same be not continued from time to time by adjournment.

And for your further assistance in the execution of these Presents, We do hereby appoint Our Trusty and Well-beloved HENRY BROUGHAM LEECH, Esquire, Secretary to this Our Commission, whose service and assistance We require you to use from time to time, as occasion may require.

Given at Our Court, at Saint James's the Fifteenth day of March, 1877, in the Fortieth Year of Our Reign.

By Her Majesty's Command,

R. ASHETON CROSS.

## COMMISSION,

Extending the duration of the Commission of Enquiry into various matters relating to the position of the College of the Holy and Undivided Trinity and of the University of Dublin.

VICTORIA R.

(L.S.)

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith, To Our Right Trusty and Right Well-beloved Cousin and Councillor, SOMERSET RICHARD Earl of Belmore, Our Right Trusty and Well-beloved Councillor MOUNTFORT LONGFIELD, Doctor of Laws, Our Right Trusty and Well-beloved Councillor, STEPHEN WOULFE FLANAGAN, Judge of the Landed Estates Court in that part of Our United Kingdom of Great Britain and Ireland called Ireland, Our Trusty and Well-beloved ANDREW MARSHALL PORTER, Esquire, one of Our Counsel Learned in the Law in Ireland, Our Trusty and Well-beloved JOSEPH ALLEN GALBRAITH, Clerk, Master of Arts, Fellow of Trinity College, and Our Trusty and Well-beloved JOHN MULHOLLAND, Esquire, Greeting.

Whereas We did, by Our Commission under Our Royal Sign Manual, bearing date the Fifteenth day of March One Thousand Eight Hundred and Seventy-seven, in the Fortieth year of Our Reign, appoint you to be Our Commissioners to inquire into various matters relating to the position of the College of the Holy and Undivided Trinity, and of the University of Dublin.

And Whereas We did by Our said Commission declare Our Will and Pleasure to be that you Our said Commissioners, or any three or more of you, should report to Us in writing, under your Hands and Seals, within the space of twelve months from the date of the said Commission, or sooner if the same could be reasonably done, your several proceedings by virtue of Our said Commission, together with your opinions touching and concerning the several matters thereby referred for your consideration.

And Whereas it has been humbly represented unto Us, that it would be expedient to extend the period in which you, Our said Commissioners, were therein required to make your Report.

NOW KNOW YE that We have extended, and by these Presents do extend the duration of Our said Commission, for the term of three months, for the purpose of enabling you, Our said Commissioners, to complete the inquiries thereby required to be made.

And Our further Will and Pleasure is that upon due examination of the Premises therein mentioned, you do within the space of three months from the date of the expiration of the said Commission, report to Us under the Hands and Seals of you, or any three or more of you, what you shall have done in the Premises.

Given at Our Court, at Saint James's the Eleventh day of February, 1878, in the Forty-first Year of Our Reign.

By Her Majesty's Command,

R. ASHINGTON CROSS.

# DUBLIN UNIVERSITY COMMISSION.

## REPORT.

TO THE QUEEN'S MOST EXCELLENT MAJESTY.

MAY IT PLEASE YOUR MAJESTY,

We, your Majesty's Commissioners appointed to inquire into certain matters relating to the College of the Holy and Undivided Trinity of Queen Elizabeth, near Dublin, consequent upon the passing of the Irish Church Act, 1869, and of the Dublin University Tests Act, 1873, do most humbly submit to your Majesty the following Report:—

### PART I.

The first matter into which we were commanded to inquire was the amount of compensation received by Trinity College for the loss of patronage connected with certain advowsons and rights of presentation which it had enjoyed previously to the passing of the Irish Church Act, and of which it was, by that Act, deprived; which "loss of patronage will by rendering less frequent the occurrence of vacancies, delay and prevent the election of Fellows in the said College, and may thereby injuriously affect the interests of learning" therein; also into the remedies proper to be provided for any injurious consequences arising from such loss of patronage as aforesaid; and whether the said compensation is affected by any equitable claim arising out of the said recited Acts, or from any changes recently made in the condition or constitution of the College and University.

We have invited certain bodies and persons whom we thought to be affected, to submit to us statements in writing, and have examined witnesses upon this subject, as well as with regard to the other matters referred to us. We have accordingly received statements from the Provost and Senior Fellows, who form the Governing Body of Trinity College, commonly called the Board; from the Junior Fellows; from certain of the Fellows in Holy Orders; from a committee appointed by the General Synod of the Church of Ireland with respect to the Divinity School of Trinity College; from some of the Fellows of Trinity College, with respect to the proposed separation of the Divinity School from Trinity College; and from the Professors of Trinity College, who are not Fellows. We have also received separate statements from the Provost, the Vice-Provost, the Registrar, and from the Archdeacon of Dublin, who at present fills the office of Archbishop King's Lecturer in Divinity. A copy of a letter addressed by the Rev. Dr. Salmon, Regius Professor of Divinity, to the Registrar, upon the subject of the Divinity School, dated December 29th, 1876, has been laid before us. We have, farther, addressed certain queries to the Board, upon subjects as to which we required information, and have received answers from them. All these statements we have placed in the Appendix to this Report.

We find that the total amount of compensation received by the College, for the loss of its patronage, was £121,908 1s. 7d. The livings which were twenty-one in all, with aggregate incomes awarded as annuities under the Irish Church Act to the Incumbents, of £17,287, were of two classes. The first class consisted of eighteen livings, which were granted to the College by the Patent Roll, 8 James I. (1610). The following table gives their names, and the particulars relating to them:—

App. No.  
xviii.



App. No.  
xiv.

TABLE.

Name of Benefactor for the use of the Advowson of which the College received Compensation.	Place in which situated.	Amount of Annuities awarded to the Incumbents.	Compensation.
		£ s. d.	£ s. d.
Arbore, . . .	Armagh, . . .	555 13 8	2,807 15 1
Andreas, . . .		585 11 2	2,379 4 10
Clonfadra, . . .		936 7 2	9,538 7 8
Clonoe, . . .		216 4 0	2,513 1 1
Desertoneight, . . .		637 3 9	5,133 10 3
Aghabreher, . . .	Clogher, . . .	750 11 10	5,141 16 5
Clonish, . . .		995 8 10	5,659 8 3
Derryvelan, . . .		889 5 11	8,194 8 11
Enniskillen, . . .		563 5 2	5,274 14 1
Ardstraw, . . .	Derry, . . .	1,435 4 0	9,891 14 1
Cappagh, . . .		1,324 14 3	7,966 15 4
Drumagh, . . .		1,068 3 0	9,413 8 7
Clondubrick, . . .	Raphoe, . . .	332 9 1	1,232 12 5
Clondradick, . . .		511 10 7	3,218 18 9
Corvill, . . .		767 19 8	6,335 10 1
Kilnashuman, . . .		591 0 0	2,153 7 10
Ratnashy, . . .		870 13 0	3,880 5 2
Tullyaghish, . . .		1,146 2 8	5,784 5 1
		14,067 4 0	96,307 1 11

App. No.  
xvi.

The second class consisted of three livings, the advowsons of which were purchased by the College—viz. (1), Killyleagh, which was purchased in 1757 by virtue of the King's Licence, dated 12th April, 1757 80 Geo. II., the price paid being £1,500, of which £900 was a bequest by the Rev. Claudius Gilbert, D.D., Senior Fellow; (2) Killeshandra, which was purchased in 1763 under the authority of a Patent of 23rd March, 1763, 3 Geo. III., the price paid being £2,106 8s.; and (3) Clogher, which was purchased in 1828 under the authority of the same Patent as Killeshandra. The price paid for the advowson of Clogher was £14,000. The following table gives the particulars with regard to the livings in this class:—

App. No.  
xix.

Name of Benefactor.	Place in which situated.	Amount of the Annuities awarded to the Incumbents.	Compensation.
		£ s. d.	£ s. d.
Clogher, . . .	Armagh, . . .	1,563 14 7	11,791 2 8
Killyleagh, . . .	Down, . . .	618 12 6	4,351 0 6
Killeshandra, . . .	Kilmore, . . .	1,537 8 2	9,768 7 7
		3,719 15 3	25,709 19 8

App. No. xxi.

We have given in the Appendix two tables which we have had prepared with as much accuracy as the sources of information within our reach admitted of, with a view of showing how far the right of presentation to livings by the College has helped to maintain a flow of retirement and consequent promotion amongst the body of the Fellows. One of them is a list of the benefices to which the College presented, and is compiled in such form as to show in each case the name of the Incumbent, or of the successive Incumbents, since the advowson became the property of the College. Three columns follow. The first gives the date of the Incumbent's election to a Fellowship, if a Fellow; if he was not a Fellow, a hard line takes the place of a date. The second column gives the date of his co-option to the Board in the event of his having been a Senior Fellow. The third column shows the date of his acceptance of the benefice. A star following the name of an Incumbent indicates that he held another living simultaneously.

The annuity awarded to the Incumbent by the Church Temporalities Commissioners, and the amount of compensation for the loss of the advowson is given in each case.

The second table is a list of Fellows who have retired upon livings since 1750. The total number appears to have been sixty-six, of whom nineteen are known to have been Senior Fellows; two of these were Vice-Provosts. The date of co-option, when doubtful, is represented by a note of interrogation in that column.

We find that the compensation money derived from the three livings purchased by the College, with accumulated interest upon the whole fund, was, after having taken Counsel's opinion, applied by the Board, together with a further sum taken out of the general funds of the College, in redeeming tithe-rentcharges on the estates amounting to a gross annual sum of £2,571 13s. 3d.

We have been furnished with the following particulars by the Senior Bursar of Trinity College, as to the disposal of the Advowson Fund:—

Rev. Dr. Carson, Q. 380.

App. No. XXI.

		£	s.	d.	£	s.	d.
I. The amount of Rentcharges redeemed by the College, . . .		2,571	13	3			
Deduct Poor Rates, . . . . .		144	1	1			
					2,427	12	2
<hr/>							
II. The amount of Redemption Money, distinguishing the accumulated interest of the whole Advowson Fund from the proportion of capital which consisted of the Compensation Money of the three purchased Livings.							
Total amount of Redemption Money, . . . . .		—			54,621	2	10
This amount was thus provided:—							
(a.) Received from the Church Temporalities Commissioners for the three Livings, . . . . .		25,700	19	8			
(b.) Received from do., interest on the whole Advowson Fund, . . . . . £17,606 3 4							
Deduct Income Tax, . . . . . 343 16 5							
		16,722	6	11			
Interest on Deposit Receipts for Advowson Fund, received from Bank of Ireland, December 12, 1872, to March 28, 1873, . . . . .		710	12	10			
Half-year's interest on £59,000 18s., being part of the old Crown Advowson Fund invested in Government Stock, due 5th October, 1873, net, . . . . .		1,318	15	0			
		44,453	14	5			
(c) Taken from the General College Funds, . . . . .		10,167	8	5			
		54,621	2	10	54,621	2	10

III. Amount of New Three per Cent, and of Interest thereon, which represents the balance of the Compensation Money, being the proceeds of the 18 Crown Livings.

	£	s.	d.
Received for the 18 Livings granted by the Crown, . . . . .	96,307	2	6
This sum purchased New Three per Cent, . . . . .	104,560	0	5

The Annual Interest on this sum of New Three per Cent is £3,136 16s.

There appears to be a slight error in Table III. in the statement of the compensation received for the eighteen livings granted by the Crown. The sum should be £96,297 1s. 2d., as stated in the Table giving the list of the livings.

From the above statement we find that the total sum representing the compensation received by the College for the loss of its patronage is £140,660 16s. 4d., made up of £121,908 1s. 7d., paid by the Church Temporalities Commissioners for the Advowsons, together with £18,752 14s. 9d. interest.

The gross total annual income to arise from this is £5,112 10s. 5d., composed partly of £3,136 16s., interest on new three per cent. stock, and partly of £1,975 14s. 5d., represented by so much of the annual rentcharges as were redeemed by the sum of £14,453 14s. 5d.

With regard to the remedies proper to be provided for any injurious consequences arising from the loss of patronage sustained by the College, we are of opinion that the stagnation which undoubtedly exists as regards promotion amongst the Fellows, and which is a subject of great complaint, has been mainly caused by the repeal of the Celibacy Statute in 1840, taken together with the system upon which the tutorial fees are distributed; and that the loss of patronage has been only a minor cause. The stagnation, moreover, has been increased by the creation of ten new Fellowships, and the election of ten new Fellows to fill them in ten successive years (1840–1849 inclusive). This creation was intended as a remedy for the disadvantage to which Candidates for Fellowships would be subject from the want of vacancies owing to the repeal of the Celibacy Statute.

Prior to the year 1812, there had been a law intended to prevent marriage on the part of the Fellows of Trinity College, but it was practically inoperative, and had not for many years been enforced. In that year a statute of Celibacy was passed, which however, by subsequent Royal Letter, was made to affect only Fellows to be thereafter elected, and it continued until 1840, when it was repealed.

App. No. II.  
Mr. Gray,  
Q. 270.  
Dr. Traill,  
Q. 540.  
The Provost,  
Q. 66.  
Dr. Traill,  
Q. 551.  
Coll. Stat.  
Vol. 1.

pp. 241 app.  
pp. 259 app.  
pp. 297 app.

Under the old system, each Tutor, who was necessarily a Junior Fellow, received all the tuition fees that were paid by his own pupils. Those fees were eight guineas a year for a Pensioner, and sixteen guineas for a Fellow Commoner. The great mass of the Students were Pensioners. The chief income of a Junior Fellow was derived from the tuition fees, and thus it frequently happened that one Junior Fellow received a much larger income than another Junior Fellow his senior by several years. This income, depending on the number of his pupils, was precarious, and therefore of much less value than a certain income of the same average amount. Under the present system, which originated in a voluntary agreement entered into by the Junior Fellows, and which came into full operation in 1839, each Tutor receives directly only one-eighth of the fees paid by his own pupils. The remaining seven-eighths are divided in the following manner:—The Tutors are divided into three grades, according to their standing among the Fellows—the five Junior form the junior grade, the five Senior Tutors form the senior grade—all the Tutors of intermediate standing (of whom there are at present nine) form the middle grade. The divisible seven-eighths are divided into as many equal parts as there are Tutors; each Junior Tutor receives two-thirds of one of such parts or shares. Each Tutor of the senior grade receives a share and a third of a share, and those in the middle grade receive each one share. From all these payments there is a deduction of 6d. in the pound, which is paid to one of the Junior Fellows, who is called the Junior Bursar, and is elected by the Tutors to receive all the fees and distribute them among the Tutors, according to their several rights. Thus a Tutor's income, which largely consists of his share of the tutorial fund is now to a great extent independent of his success as a Tutor.

This system, coupled with the liberty to marry, with perhaps some other causes, had made the College livings much less attractive to the Junior Fellows than formerly. According to a calculation made by the Provost, one-third only of the livings given away after 1840 were accepted by Junior Fellows. It is long since a Senior Fellow has thought it worth his while to retire upon a College living; there has been no instance in the last fifty years. Latterly the livings may be said to have had the effect of producing circulation only at the bottom of the body. At the time of the passing of the Irish Church Act, there were (as is shown by the following table) in fact only eight out of the twenty-one livings held by ex-Fellows; of these, it will be seen, some were of but short standing as Fellows, and not one of them had been a Senior Fellow.

NAME.	Dates of obtaining Fellowship.	Dates of Appointments to Livings.	Amounts granted to Incumbents.
Robert V. Dixon (Clogherney), . . .	June 11, 1838	Feb. 25, 1853	£ 1,503 14 7
(a) Wm. A. Willock (Cremish), . . .	June 4, 1849	June 14, 1854	905 5 10
James Maclevor (Ardara), . . .	June 3, 1844	May 10, 1847	1,435 6 0
(b) James Hyman (Cappagh), . . .	June 19, 1848	Oct. 8, 1849	1,234 14 3
(c) Geo. Sidney Smith (Drumragh), . . .	May 30, 1831	April 20, 1867	1,068 3 0
(d) John C. Martin (Killeshinabrook), . . .	June 18, 1831	May 30, 1831	1,067 8 2
(e) Henry Kingmill (Conwall), . . .	June 2, 1838	Dec. 7, 1835	767 19 8
(f) John Greyans (Ballygaltske), . . .	May 23, 1853	Oct. 17, 1853	1,146 2 8

\* In December, 1848, the Rev. James Hyman accepted the Living of Egreystock, with an stipend which he received by accepting Cappagh.

† In the year 1838 the Rev. George Sidney Smith accepted the Living of Aghaloe, and he was presented to Drumragh, on his being refused by all the Fellows in the year 1837.

In addition to these there were two Ex-Fellows living who had retired upon College livings, but had by arrangement with the Fellows been permitted to exchange them. One of these exchanges took place so long ago as March, 1824, when the Rev. Thomas Romney Robinson, D.D. (who still survives), exchanged Enniskillen for Carrickmacross. He was elected a Fellow in 1814, and retired upon Enniskillen in 1823.

Enniskillen has since been twice vacant. Once in 1860 by the death of the Honorable and Rev. Charles Maude, and the second time in 1863 by the promotion of the Rev. W. C. Magee, D.D. (now Bishop of Peterborough), to the Deanery of Cork. On both occasions it was refused by all the clerical Fellows. The annuity awarded to its Incumbent was £563 3s. 2d.

The other living, Derryvullen, upon which the late Rev. John Ratledge, D.D., who was elected a Fellow in 1850, had retired in 1857, and which he had exchanged for Armagh, was still occupied at the passing of the Irish Church Act by the Rector who had been appointed under an arrangement made between the Lord Primate, Patron of the Rectory of Armagh, and the Board.

Had it become vacant it might possibly, but not certainly, have "taken out" a Fellow. The same observation applies to Clonsilla, which had been filled by the Crown on the

(a) Retired, 1871.

(d) Archbishop of Kilmore. Died, 1878.

(e) Dean of Clonfert.

(f) Retired, 1874.

(g) Died, 1857.

(h) Dean of Eglishe.

Dr. Stubbs,  
Q. 403 app.

Mr. Gray,  
Q. 253.

The Provost,  
Q. 55.

App. No.  
XIV.

Mr. Gray,  
Q. 249.

occasion of the promotion of the Rev. H. Griffin, D.D., an Ex-Fellow, to the Bishopric of Limerick. The annuities awarded to their Incumbents were respectively £889 5s. 11d. and £936 7s. 2d.

When we come further on in our report to deal with the proper application of the Advowson Compensation Fund, we shall have occasion to return to the question of stagnation, and we believe that what we shall then recommend will provide a sufficient remedy for any injurious consequences, so far as they may arise from the loss of patronage.

We were further to inquire whether the compensation received by the College is affected by any equitable claim arising out of the before recited Acts, or from any changes recently made in the condition or constitution of the College and University.

A statement was submitted to us by some of the Fellows in Holy Orders claiming compensation out of the Advowson Fund for the loss of their right of succession to the livings formerly in the gift of Trinity College. Two of them, representing the larger number, appeared before us and gave evidence upon the subject.

We are of opinion that the compensation received by Trinity College for the loss of patronage is not affected by any equitable claim arising out of the said recited Acts. It is only necessary to consider the case of the Fellows who had been elected before the passing of the Irish Church Act, 1869. They had all refused at least one living of greater value than any of those which have fallen vacant since the passing of the Act; and judging of the future by the past it is highly improbable that any of those Fellows would ever accept any of the old crown livings, or would derive any advantage from the existence of that patronage, if that Act had not been passed. As long as the patronage existed the Board was obliged by custom to offer each vacant living to the Fellows in succession, but that custom would not create an equity to prevent the purchased advowsons from being sold for the purpose of procuring other property more valuable to the College as an educational institution. If any loss was thereby sustained by the Junior Fellows it will be much more than compensated if the suggestion which we shall make hereafter, for an increase in the number of Senior Fellows, be adopted.

No compensation was awarded to the College on the ground of a right of succession on the part of the Fellows in Holy Orders.

No equitable claim arises from any changes recently made in the condition or constitution of the College or University.

App. No. 1.  
Qs. 236-312

Mr. Mahaffy  
Q. 236.  
Mr. Gray,  
Q. 242.

Mr. Gray,  
Q. 253.

Mr. H. M.  
Longfield,  
Q. 401.  
Mr. Traill,  
Q. 557.

## PART II.

The next branch of our inquiry is into the offices of Professors and Lecturers in Divinity in the College and University, the endowments and emoluments either of private or public foundation connected with the same respectively; and into the mode of conferring Degrees in the Faculty of Theology in the University.

With regard to the offices of Professors and Lecturers in Divinity, we requested the Board to furnish a list of such Professors and Lecturers; stating—

- The modes of their appointment.
- The tenure of their offices.
- The duties which they perform; and
- The salaries and other emoluments which they receive.

In reply we have received the following information:—

App. No.  
xiv.

"The Regius Professor of Divinity, appointed by the Provost and Senior Fellows from among the Fellows or ex-Fellows of the College, who are Doctors in Divinity. The Professor holds the office for life, unless guilty of neglect of duty or other offence against the statutes, or unless promoted to a bishopric.

"The prescribed duties are, to read a Predication at the beginning of every term, in which the order and matter of the studies of that term are expounded. To give two lectures in every week during the term. To explain the Holy Scriptures in these lectures. To expound also the controversies with all opponents as well of the Christian religion as of the Church of England. To hold lectures also and examinations in Ecclesiastical History. To assign to the Students books, approved by the Provost and Senior Fellows, in which they are to be diligently examined. To prescribe exercises in Theology. To furnish the Provost, at the end of each term, with the names of Students remarkable for negligence or for diligence. To be Moderator in disputation for Theological Degrees. To preach four sermons each year in confirmation of the Christian religion. To read annually four public Predications in Divinity, at such times and in such places as the Provost and Senior Fellows shall prescribe. To hold an annual examination of the Students in Divinity, for two days, during four hours each day; in the morning of the first day in the Old Testament, and in the evening in the New Testament; in the morning of the second day in Ecclesiastical History, and in the evening of the second day in the Articles and Liturgy of the Church of England. The salary is £1,213 per annum.

"Archbishop King's Lecturer, appointed by the Provost and Senior Fellows. He holds his office for life. His duties are, to lecture Divinity Students during their first year, on two days in each week; during the Michaelmas and Hilary Terms on the Evidences of Natural and Revealed Religion, and in Trinity Term on the Socinian controversy, and to preside at examinations of these Students at the end of each term. The salary is £700 per annum.

"The Professor of Biblical Greek, appointed by the Provost and Senior Fellows. The tenure of the office is five years.

"The duties are, to lecture in two of the three terms of each year in subjects to be appointed by the Board, and to assist at the Divinity Examinations held by the Professor of Divinity, and by Archbishop King's Lecturer. The salary is £100 per annum.

"The Professor of Ecclesiastical History, appointed by the Provost and Senior Fellows. The tenure of the office is for five years.

"The duties are, to lecture twice a week during two of the three terms in each year for all Students requiring the testimonial of the Professor of Divinity, to hold an examination in each year for prizes in Ecclesiastical History, and to examine in Ecclesiastical History at the Divinity Professor's Prize Examination. The salary is £100 per annum.

"Four Assistants to the Professor of Divinity, appointed by the Provost and Senior Fellows.

"The Assistants appointed before the year 1876 held the office usually during the continuance of their Junior Fellowship. The tenure of those subsequently appointed is fixed by the Provost and Senior Fellows at the time of their appointment.

"The duties are, to lecture Students twice a week during each term in the second year of their Divinity Course, and to assist the Professor in the Divinity Examinations. The salary of each Assistant is £50 per annum.

"Five Assistants to Archbishop King's Lecturer in Divinity, appointed by the Provost and Senior Fellows.

"The duties are, to lecture Students twice a week during each term in the first year of their Divinity Course, and to assist Archbishop King's Lecturer in the Divinity Examinations. The tenure of office and the salary are the same as those of the Assistants to the Professor.

"N.B.—The Salary of the above Assistants receives £50 per annum.

"NOTE.—The list given above does not include Catechetical Lecturers, or other persons appointed to give religious instruction to all classes of Students, as it was assumed that the questions were intended to refer solely to the Divinity School."

We also further inquired as to the dates of the creation of the several offices mentioned in our preceding questions. We have been unable to find the exact date of the creation of the Professorship of Divinity; we have been informed, however, that the first Professor was Luke Challoner, who was one of the three Fellows named in the original Charter of the College in 1591, and that Archbishop Ussher was appointed to succeed him in the office in 1607.

Archbishop King's Lecture was founded in 1718.

The Professorship of Biblical Greek was founded in 1838.

The Professorship of Ecclesiastical History was founded in 1850.

The first Assistant Divinity Lecturer was appointed in 1783.

The first Assistant to Archbishop King's Lecturer was appointed in 1833.

We also inquired the nature and dates of change (if any) made in the salaries, emoluments, or duties of the several offices before mentioned, during the last twenty-five years.

We learn from the Registrar that the following changes have taken place in the salary and emoluments of the Regius Professor:—

	£
(1) By King's Letter, Car. II., the salary named was . . . . .	80
(2) " " 1 Geo. III., the salary was raised to . . . . .	500
(3) " " 36 Geo. III., the salary was raised to . . . . .	700
(4) " " 54 Geo. III., the salary was raised to £1,300 Irish, equal to £1,200	

British currency.

Twelve pounds were added as compensation for degree fees by Decree dated 18th December, 1856, pursuant to statute of 18 Vic., making the salary . . . . . 1,312

No change appears to have been made in his duties during the last twenty-five years. There have been in the same period no changes in the salary, emoluments, or duties of either

Archbishop King's Lecturer,

The Professor of Biblical Greek, or

The Professor of Ecclesiastical History.

In June, 1867, the salary of the Senior Assistant-Lecturer was raised from £36 18s. 8d. to £60 per annum; and the salaries of the Junior Assistants were raised from £27 14s. to £50 per annum each. There does not appear to have been any change in their duties.

As regards the endowments or emoluments of either private or public foundation connected with the study of Divinity in the College, we find that there have been no public grants made either by the Crown or Parliament for the purposes of the Divinity School.

The private endowments are as follows:—

1. In 1718 £500 late Irish currency was given by Archbishop King towards founding a Divinity Lecture for the use of the Bachelors of the College.

In 1729 a further sum of £500, being a bequest by the Archbishop, was paid to the College for the further endowment of the Divinity Lecturer.

These endowments were invested in the purchase of £388 17s. 8d. Bank of Ireland Stock in 1869.

The income arising therefrom has varied from £35 to £52 9s. 11d. per annum, and has been applied in part payment of the salary of the Divinity Lecturer.

The salary since 1833 has been £700 a year—the increase having in that year been granted by the Board as a charge on the Decretments.\*

\* Decretments are the fees to be paid by the Students, which are imposed by the sole authority of the Board.

Mr. Pilkington, Q. 231.

App. No. xiv.

App. No. xvi.

2. In 1850 a sum of £1,000 was given by Lord John Beresford, Archbishop of Armagh, towards founding a Chair of Ecclesiastical History. A further sum of £1,000 was added by His Grace in 1851. These two sums have been invested in the purchase of £932 6s. Bank of Ireland Stock. The income arising from the endowment has varied from £74 11s. 5d. to £125 16s. 6d. The Professor has (during the last fifteen years) received a salary of £100 a year.

To these must be added the endowments for Scholarships, Exhibitions, and Prizes amounting to £188 18s. 1d. We shall give the particulars when we come to the expenditure in connexion with the Divinity School.

We have inquired of the Board as to the mode of conferring Degrees in the Faculty of Theology—the examinations to be passed, the length of time to be devoted to the study of it, the payments to be made, and all other conditions necessary to be performed in order to obtain each Degree in Theology.

Their reply was to the following effect. The present rules are as follows:—

App. No. xv

A Bachelor in Divinity must be a Master or Bachelor of Arts of three years standing. He must have undergone a special examination in Divinity before the Regius Professor according to rules prescribed by the Provost and Senior Fellows with the consent of the Professor.

A Doctor in Divinity must be a B.D. of five years standing. He must present to the Professor a printed thesis in which he has treated of and explained some portion of doctrine from the Holy Scriptures, or of the History of the Church, or of Dogmatic Theology. This thesis is to be approved by the Regius Professor.

Those who were students before 30th November, 1876, may up to 1892 obtain degrees under the regulations which formerly existed, as follows:—

A Bachelor in Divinity must be M.A. of seven years standing. Before private grace of the House can be obtained for this degree the candidate must perform the necessary exercises before the Regius Professor or his deputy. These are one *Conatio ad Clerum* in Latin and one Sermon in English ad *Populum*.

A Doctor in Divinity must be B.D. of five years standing, and in Priest's Orders. The exercises to be performed before the Regius Professor are an English Sermon ad *Populum*, and a Latin one ad *Clerum*. When the Degrees of B.D. and D.D. are taken together the exercises for both must be performed.

There are no Lectures to be attended.

The fees are—

	£	s.	d.
S. Theologie Baccalaureus, . . . . .	13	13	0
S. Theologie Doctor, . . . . .	26	0	0

## PART III.

The third branch of our inquiry is into the expenditure of the College and University in connexion with the Divinity School, and whether it would be proper that the same respectively should be continued or other provision made in lieu thereof. This expenditure would include Scholarships, Exhibitions, and Prizes in addition to what is paid to Professors, Lecturers, and Examiners. We put queries to the Board as to the Number of Scholarships, &c., &c., in Divinity, their value, and the trusts affecting any that may be of private endowment. We find that those of private endowment are as follows:—

App. No. xiv.

Scholarships.		Assesd Value.
		£ s. d.
Two "Bedell" Scholarships of £50, . . . . .		40 0 0
Exhibitions.		
An annuity of £50, late Irish currency, for the foundation of 5 "Downes" Exhibitions of £9 4s. 8d. each, . . . . .		45 3 4
Prizes.		
Prizes founded by Nicholas Forster, Bishop of Raphoe (with accumulation), to the two best answerers at the Final Examination of the Junior Divinity Class, . . . . .		10 0 0
Prizes founded in 1707, by the Rev. W. Downes, D.D., as follows:—		
"Downes" Divinity Premiums for Written Composition, . . . . .		18 9 9
And . . . . .		9 4 7
"Downes" Premiums for Extempore Speaking, . . . . .		11 1 6
And . . . . .		7 7 8
"Downes" Premiums for reading the Libery, . . . . .		7 7 8
And . . . . .		3 13 10
The "Bedell" prize, . . . . .		10 0 0
The "Kyle" prize, . . . . .		9 10 4
"The Church Foremanries" prize (founded by Judge Warren), . . . . .		10 0 0
Total of Private Endowments, . . . . .		188 18 1

App. No.  
XVII.

The following prizes are paid out of the funds of the College, viz. :—

	Annual Value, £ s. d.
Archbishop King's Divinity Prizes, . . . . .	20 0 0
Biblical Greek Prizes, . . . . .	10 0 0
And . . . . .	5 0 0
Ecclesiastical History Prizes, . . . . .	10 0 0
And . . . . .	5 0 0
Divinity Composition Prizes, of £3 each, . . . . .	Varying in total amount.

There are six Theological Exhibitions founded by the Board with the consent of the Visitors; three of £60 each and three of £40 each, amounting to £300 per annum.

The total average expenditure of Trinity College on the Divinity School during the three years ending November 20, 1877, was £2,867 16s., as shown by the following return, dated 14th January, 1878, and signed by the Bursar :—

Particulars.	1875.	1876.	1877.
	£ s. d.	£ s. d.	£ s. d.
1. Salary of Regius Professor, . . . . .	1,212 0 0	1,212 0 0	1,212 0 0
2. Part salary of Archbishop King's Lecturer, over and above endowment*, . . . . .	653 6 8	653 6 8	653 5 7
3. Assistant Lecturers, . . . . .	460 0 0	460 0 0	473 10 0
4. Salary of Professor of Biblical Greek, . . . . .	100 0 0	100 0 0	100 0 0
5. Payments to Examiners in Divinity, . . . . .	89 5 0	80 2 0	90 12 0
6. Prizes and Exhibitions, viz. :—			
Archbishop King's Prizes, . . . . .	20 0 0	—	10 0 0
Biblical Greek do., . . . . .	20 0 0	15 0 0	15 0 0
Ecclesiastical History do., . . . . .	15 0 0	15 0 0	15 0 0
Divinity Composition do., . . . . .	12 0 0	12 0 0	12 0 0
Theological Exhibitions, and Prizes granted at first Examination, . . . . .	320 0 0	300 0 0	260 0 0
1875, . . . . .	2,501 11 8	2,803 8 8	2,648 7 7
1876, . . . . .	2,803 3 8		
1877, . . . . .	2,648 7 7		
	58,503 7 11		
	£2,867 16 0		

\* Netgo.—Charged on the Government.

App. Nos.  
VII. & XII.  
Rev. Dr.  
CROSS, Qq.  
381-380.

The question as to whether the present expenditure should be continued, or other provision be made in lieu thereof, and if so what other, has occupied a good deal of our attention. There has been a strong opinion expressed that the Divinity School should remain within the walls of Trinity College.

At the same time it is generally (though not quite unanimously), felt that it cannot remain on its present footing. The time may possibly arrive when there will not be a single clergyman upon the Board of Trinity College: several members of it may after a long interval not even be members of the Irish Church. Should that state of affairs come about the members of the Church would be naturally dissatisfied.

Further than this, as there is no longer any obligation upon the Fellows to take Holy Orders; and as no Fellow has in fact done so, of those who have been elected during the last thirteen years, it is evident that it will no longer be possible to keep up a supply of Professors and Lecturers from amongst the Fellows. Already two assistant Lecturers have been appointed from outside the Fellows, and the time may arrive when there will not be a single person in the College, qualified to hold a Professorship of Divinity.

Several suggestions have been made to us as to what changes would be desirable. We have received statements—

App. No. VI.

I. From the Divinity School Committee of the General Synod of the Church of Ireland.—The Committee go into the matter at length, and with regard to the particular subject of our inquiry, viz., the sums hitherto expended on the purposes of the Divinity School, have expressed a wish that they should be capitalized, and the amount placed in the hands of the Representative Body in trust. The Committee, however, do not desire entirely to sever the connexion which has existed between the Divinity School of the Church and Trinity College, and they apparently reserve to the Church its right to bring forward its claims for any general loss it may have sustained as regards the Theological education of its future ministers owing to recent legislation, when the time arrives for Parliament to consider the final appropriation of the realized assets of the late Church Establishment. With regard to their scheme of capitalization, the Committee point to the Adwoson

Compensation Fund as a convenient source from which the capital sum required may be obtained, the equivalent annual income now expended by the College on the Divinity School being transferred to the general purposes of the College.

II. From the Board, who give us the text of certain resolutions passed on 3rd November, 1874, to the effect that (1) they are willing to allow the continued use of their lecture rooms to Students in Divinity, provided the lecturers are subjected to collegiate discipline, and accommodate their hours to the requirements of secular instruction in Trinity College; (2) that they are willing to confer a similar privilege on any other religious body desiring it; and (3) that in fixing the qualifications for Theological degrees they are willing to accept the certificate of any of the Theological Schools so placed in connexion with Trinity College.

App. No. 12.

They also give us the text of two other resolutions of the 15th January, 1876:—

1. That the control and management of the Divinity School of the Church of Ireland be transferred to a council appointed by the Church of Ireland, reserving the statutable rights of the existing Professors and Lecturers, and

2. That on the vacancy of any Professorship or Lectureship a sum equal to the salary and payment made to such person be paid annually to the Representative Body for the maintenance of the Divinity School, on condition that the Students of Trinity College shall continue to receive instruction in the School as hitherto without charge.

These two last resolutions were carried at the Board by 5 votes to 3.

The resolutions were communicated by the Board to the Divinity School Committee, who in turn communicated two resolutions to the Board—(1) accepting the offer with thanks, and asking for steps to be taken to secure the legal permanence of the arrangement; and (2) requesting that the income might be capitalized and handed over to the Representative Body.

The Board on May 31, 1876, agreed to the first of these resolutions, but were evenly divided on the second. On a subsequent occasion, however (April 26, 1877), the second of these resolutions was negatived by a majority of 5 to 3.

Rev. Dr. Carson, Q. 380.

The Board submitted this plan as well as another suggested by Dr. Salmon (the Regius Professor of Divinity), to be presently noticed, to their legal adviser, who was of opinion that either plan would require an Act of Parliament to carry it out.

App. No. III.

We were informed that the above were the views of the Board collectively, but that individual members were understood to entertain special views in reference to certain points, which might be more conveniently brought before us in separate communications. The Provost in his separate paper, whilst making further suggestions, strongly supported the plan of the Board (including the adoption of the resolution submitted by the Divinity School Committee that the income should be capitalized and handed over to the Representative Body). The Vice-Provost also expressed his agreement, and we have received no separate communication in a contrary sense.

App. No. IX.

App. No. X.

III. Some of the Fellows, both Senior and Junior, have submitted a statement which we shall further notice presently, deprecating the proposed separation of the Divinity School from the College, and from the control of the Board.

App. No. VII.

IV. The present Regius Professor, the Rev. Dr. Salmon, in December, 1876, proposed a scheme in a letter which has been put in, addressed to Mr. Stack, the Registrar of the College. Dr. Salmon was unwilling that there should be a separation between the Divinity School and the College, and in order to meet the present altered state of affairs, suggested the appointment of a special Council (similar to the new University Council), consisting of members of the Church exclusively, and composed of—

App. No. III.

- (1.) Members appointed by the Board;
- (2.) Members appointed by the Teachers in the School, leaving it a question whether the Regius Professor and Archbishop King's Lecturer should not be members *ex-officio*;
- (3.) Members nominated by the Bishops;
- (4.) Members nominated by the clerical and lay members of the Synod, or else by members of the Senate who are also members of the Church.

Amongst some other suggestions made by Dr. Salmon, perhaps the most important was the removal of the restriction of the Regius Professorship to Fellows (or ex-Fellows).

Dr. Salmon, however, stated to us in evidence that when the Commission was appointed he withdrew his proposal of a special Council, as he did not wish to create any difficulty. These are the main proposals which have been made to us; and they have been further

Rev. Dr. Salmon, Q. 191.



Mr. Mahaffy  
Q. 238.  
Rev. Dr.  
Haughton,  
Q. 464.

explained, as to matters of detail, by some of the witnesses who have appeared before us. Two points have been pressed upon our attention which deserve particular notice. One is, that if the Divinity School were to be entirely removed from within the walls of Trinity College, the probability is that a considerable number of Students who are now attracted to the College by its Divinity School, intending to take holy orders not merely in Ireland but also in the Church of England, would be lost to it; whilst the College would be, at the same time, the loser by the amount of compensation which might have been paid out of its funds to the Church of Ireland on account of its Divinity School.

The second point, which indeed is not altogether dependent upon the retention or non-retention of the Divinity School within the College buildings, but would arise if the suggestions which have been made either by the Board or by Dr. Salmon should be carried out, is this:—By the proposed changes, two outlets which have hitherto helped to relieve the stagnation in the flow of promotion amongst the Fellows, will be closed. Originally, only a Senior Fellow was eligible for the Regius Professorship; afterwards the eligibility was extended to Junior Fellows, and finally to ex-Fellows; it was considered probable, however, that the Regius Professorship would “take out” a Senior Fellow, and Archbishop King’s Lectureship a Junior Fellow.

Our attention has been directed by some of the Fellows in their statement before alluded to (III.) to the fact that Trinity College was not established or endowed specially or mainly for the education of the clergy of Ireland. They urge that the object was that the youth of Ireland should be piously and liberally educated, and that in order to carry this out the Students were granted the right of obtaining degrees in all Arts and Faculties, including Theology.

They say that the Dublin University Tests Act declares that the benefits of the College and of the Schools, as places of religion and learning, shall be freely accessible to the nation; and they maintain that as long as the present Charter remains in force the University must continue to grant degrees in Theology.

They further remark that Trinity College has always given instruction in all the Faculties in which it grants degrees (except perhaps Music).

Whilst they admit that the obligation is removed from Fellows of taking holy orders they think that the circumstances of the case will induce many Fellows voluntarily to do so in the future.

They show that the Divinity Lectures were from the earliest period given to all Students and especially to Bachelors of Arts; and they lay stress upon the following words in the Statute 1 Geo. III., which regulates the present Professorship of Divinity:—“*Cum vero permultum referat ut iuventus academica, illi praeortium qui sacris ordinibus destinantur, in sacris literis et religionis Christianae doctrinis diligentius erudiantur, in quem praeceptum flectit fundatum fuit hoc Collegium.*” They then go on to tell us that at the time of the foundation of Archbishop King’s Lecture, in 1718, there does not appear to have been any special school for the instruction of the clergy.

They show that the first apparent connexion between the Church and the Divinity School was in 1790, when the Irish Bishops drew up a list of books in which they decided to examine candidates for holy orders, which list they sent to the Board of Trinity College. The Board recommended the Professors and Lecturers in the Divinity School to prepare the Students in these books. On this occasion eleven out of the twenty-two Bishops signed an agreement that they would not ordain any graduate who had not attended one course of lectures by the Assistant Divinity Lecturer, the Divinity Lecturer, and the Regius Professor, respectively. They show further that the School was placed on its present footing so late as 1833. That Presbyterian Ministers not unfrequently have received part of their Theological training in it, and so have in some instances ministers of other Protestant denominations. They fear that if the School were removed from the control of an independent body like Trinity College it might reflect the Theological views of one party in the Church, and sink to the level of one of the English Theological Colleges.

They think it important that some of the Junior Fellows should be clergymen, and that, should the disposal of the offices in the Divinity School be removed from the control of the Board of Trinity College, a Junior Fellow, having small chance of obtaining one of these appointments, would have little or no inducement to make Theology the study of his life, or to take Holy Orders; and that the College might thus be left without a sufficient number of Clerical Fellows to give religious instruction to the Students, or to carry on the services in the College Chapel.

For these reasons the only change which they recommend is this, that if in course of time a member of the Board should not be a member of the Church of Ireland, in cases where any question connected with the Divinity School should come before the Board,

Mr. Gray,  
Q. 302.

App. No  
111.

Cell. Stat.  
Vol. p. 147.

his place should pro hac vice be taken by the next Junior Fellow, in the order of seniority, who should be a Churchman.

We have asked for and received returns of the attendance at Divinity Lectures and of the number of Divinity Testimonials in different years. It will be seen that the number of Students attending those Lectures fell off largely after the passing of the Irish Church Act. The lowest point as regards Students attending Lectures was reached in 1871-2 when the number was only 75. Immediately before the passing of the Act the number was 140, in itself a considerable falling off from what it had been in the years from 1856-7 to 1859-60, when the attendances were respectively 175, 169, 172 and 172. In 1876-7 the number had risen to 118. In 1867-8 the Divinity Testimonials issued were 50, in 1873-4 they had fallen to 21. In 1876-7 they rose to 30.

We find that the Regius Professor and Archbishop King's Lecturer deliver prolections. The Professor takes the senior, the Lecturer the junior Students. The Assistant Lecturers, four of whom are attached to the Regius Professor and five to Archbishop King's Lecturer, lecture Students twice in each week during term, and assist the Professors in the Divinity Examinations. Students now begin to attend Lectures in the Junior Sophister year, and it has been considered desirable to limit the number of Students in each of the classes to fifteen.

Having carefully considered the matter we are of opinion that it is desirable that for the future the present system of "expenditure should be discontinued, and other provision made in lieu thereof." We think that a liberal provision for the future support of the Divinity School of the Church of Ireland should be secured and paid to the Representative Church Body. The average amount of annual expenditure of the College on the Divinity School we have shown above to be £2,867 16s.

The Regius Professor has told us that the expenses of the School are not likely to decrease, and we think it should be placed in as good a financial position after as before the proposed changes take place.

We think that the offer of this Board to allow the continued use of Lecture Rooms in the College, on the conditions that the Lecturers should be subject to ordinary Collegiate discipline and accommodate their time to the requirements of secular instruction should be accepted, and that the Students of Trinity College should continue to receive instruction in the School as hitherto without charge. This would meet the wishes of the Board and would be in accordance with their resolution of 15th January, 1876, on the subject.

It has been suggested that the Divinity School in the event of its being entirely severed from Trinity College, and so being deprived of the use of the Lecture Rooms and Examination Halls which it has hitherto enjoyed, would become entitled to further compensation upon that account. As we have reported against the proposal for complete severance in this sense, we do not think it necessary to express any opinion upon this question.

We recommend that the Board of Trinity College should cease to be the Governing Body of the Divinity School, and a Council should be appointed on behalf of the Church of Ireland.

The position of the present Regius Professor and Archbishop King's Lecturer must remain unaltered, unless with the consent of the Board they voluntarily submit to the jurisdiction of the new Council; their salaries during the tenure of their offices and performance of their duties being a first charge upon the Compensation payable to the Representative Church Body. A similar arrangement should be made with regard to the Assistant Lecturers.

There is one matter which we cannot pass by without notice before quitting the subject of the Divinity School, although we are not commanded to make any specific recommendation about it. If the changes we have indicated above be made, the University will cease to give instruction in the Faculty of Theology, and a difficulty will arise about granting Theological Degrees (other than *Ad eandem* degrees or degrees *Honoris causa*). It is true that the Board have stated their readiness to accept the certificate of any Theological School placed in connexion with Trinity College as a sufficient testimonial of a candidate's Theological attainments. We, however, do not consider that this plan would be free from objection; and as is pointed out in a statement by some of the Fellows which we have referred to above, the College has conferred no Degrees in such a manner in the past, except perhaps Degrees in Music. We agree, moreover, with Dr. Salmon, that another plan, according to which a Professor should look only to the learning of a candidate, and accept him if competent, though he might hold different opinions from his own, would not work well in Ireland.

As, however, we anticipate that the College would probably be unwilling that its

App. No.  
XVII.  
Tables  
I-VII.

Rev. Dr.  
Salmon,  
Q. 172.  
The Provost  
Q. 121.  
Mr. Gray,  
Q. 292.

Rev. Dr.  
Salmon,  
Q.  
168-173.

App. No.  
VII.  
Rev. Dr.  
Casson,  
Q. 381.

App. No.  
III.

Rev. Dr.  
Salmon,  
Q. 187.

ancient power of conferring degrees in Divinity should fall into abeyance, and as also the Clerical Graduates of Trinity College might consider themselves aggrieved were they to be debarred from the privilege of proceeding to the degrees of B.D. and D.D. in future in their own University, we suggest that whenever a Candidate for either of these degrees presents himself the best solution of the difficulty might be to give power to each religious body to appoint an Examiner, to be approved of by the Board, by whom the examination should be held or the thesis approved of, as the case might be. The examiner might receive his remuneration out of the fees payable by the Candidate.

#### PART IV.

We now come to the last branch of our inquiry, viz., the "mode in which, having regard to the several inquiries aforesaid and other the premises, the several sums of money so received as compensation, and the income to arise from the same respectively, may most properly be applied, and generally to inquire and report in the premises."

The sum paid by the Commissioners to the College for its advowsons, together with interest paid at the same time, amounted to £140,660 16s. 4d.

We have now to deal with the disposal of the income arising from this sum, which, if the College invest it at  $3\frac{1}{2}$  per cent., will produce an annual income of, in round numbers, £4,900. It would appear at first sight that the College had invested a portion of the Compensation Fund in the redemption of tithe-rentcharge at such a price as would probably secure on the entire fund a greater annual return than  $3\frac{1}{2}$  per cent., but as this redemption could have been effected by conversion into an annuity slightly larger and terminating in 52 years, we have considered that the profit of this transaction ought not to be rated so high as would materially alter the average return of  $3\frac{1}{2}$  per cent.

In the first place we recommend that in addition to the Private Endowments, so much of the interest of the Compensation Fund as may be requisite shall be applied in payment to the Representative Church Body for the purposes of the Divinity School of the future. The Board of Trinity College and the Representative Body should have power by agreement to substitute for this annuity the payment of a capital sum.

In the earlier part of our Report we have stated that we are of opinion that the stagnation which exists in the flow of promotion amongst the Fellows, and in the occurrence of vacancies, has been caused only in a minor degree by the loss to the College of the patronage of its former livings; and this opinion is mainly based upon the frequency with which valuable livings were refused of late years by the majority of, and in one remarkable instance (in 1867) by all the Clerical Fellows. Still there is no doubt as to the fact of the stagnation, and as to its injurious consequences not only to the members of the present corporation, but to the interests of learning; and as regards the last, in two ways—first by retaining men for an excessive number of years in the position of teachers, when at least much of their interest in their work is abated; and secondly by making the occurrence of vacancies so infrequent, that some young men are discouraged from competing for Fellowships and in some instances go away to Oxford or Cambridge; whilst others spend some of the best years of their lives in repeatedly preparing for examinations, which can only be held at uncertain and perhaps at considerable intervals, and at which usually only one candidate can hope to be successful. The last examination was held after an interval of four years from the preceding one.

The income to arise from the Advowson Compensation Fund, it appears to us, affords a remedy which may properly be applied to giving relief for this state of things.

The question has been pressed upon our notice in a statement which we have received from the Junior Fellows, and which has been explained to us in considerable detail by Dr. Traill, one of their number, who with Mr. Williamson attended to give evidence upon it. The Junior Fellows show that the average length of time which it has taken a Junior Fellow to reach the Board since 1637, when Fellowships first became tenable for life, has gone on gradually increasing. The average duration of Junior Fellowships from 1637 to 1696 was five years. From 1696 to 1740 ten years, from 1740 to 1790, fifteen years, and from 1790 to 1841, (the year after the repeal of the Celibacy Statute), twenty-three years. We may remark upon this in passing that it also appears from their statement, that whilst the number of the Senior Fellows has remained constant at seven, that of the Junior Fellows, which was in 1637 only nine, had by gradual additions risen in the year 1808 to eighteen. After the repeal of the Celibacy Statute it was increased as we have before shown, by elections in ten successive years (1840–1849), to twenty-eight; since which time the Board have reduced the number, in accordance with powers vested in them by Letters Patent, to twenty-six.

The last Fellow co-opted to the Board was elected in 1841 and co-opted in 1876. He

Rev. Dr.  
Canon,  
Q. 280.  
App. No.  
XXI.

Mr. Mahaffy  
Q. 286.  
Mr. Grey,  
Q. 292.  
App. No. II.

Mr. Mahaffy  
Q. 287.  
The Provost  
Q. 19.  
Mr.  
Williamson,  
Q. 331.

App. No. IV.

Dr. Traill,  
Qs. 330 & 331.

was therefore upwards of thirty-four years a Junior Fellow. But the Junior Fellows anticipate that if no relief be given, a still worse state of things will ensue.

Dr. Traill went into a calculation with a view of showing that it will probably take the present Junior Fellows (excluding the one elected last year), periods of time ranging from thirty-eight to forty-five, and then gradually falling to thirty-four years, giving an average of thirty-nine years, from the date of their respective elections to the period of their probable co-optation to the Board.

Dr. Traill,  
Q. 321.

The Junior Fellows give in their statement the numbers of Fellows who have become Bishops in the four periods before alluded to by them. There were eighteen in the first, six in the second, seven in the third, and seven in the fourth, i.e., between 1790 and 1841. They argue that the Disestablishment of the Church must produce a serious effect upon the vacancies. Admitting the fact that of late years Fellows have not accepted livings as freely as formerly, they say that since 1841 thirteen vacancies have occurred owing to Ecclesiastical preferment, viz., ten owing to College livings and three to Professorships in Divinity, during which time only thirty-five fellows have been elected, including the ten on the new foundation. They compare the number of acceptances of College livings by Fellows between the years 1760 and 1800, which were twenty-eight, and of elections to Fellowships which in that period were fifty, with the number of acceptances of livings between 1800 and 1841 which were twenty-four, and of Fellowship elections which, between those years, were forty-nine, and they say that it thus appears that the proportion of the vacancies caused by Church preferment to the total number of vacancies, did not much alter during the century previous to the Disestablishment of the Church.

They further say that all the avenues of exit and retirement from Collegiate work which have hitherto depended on College livings and promotion to Bishoprics have been closed for ever by the Act of 1869, and as the result of this and of the repeal of the Celibacy Statute together with the creation of the ten Fellowships on the New Foundation, it can be shown that if the body of Fellows be maintained at its present number, and without any provision for retirement, no present or future Junior Fellow could hope to reach the Board till after his sixtieth year, and that half the Board at any time must be over seventy years of age. They think that during all the period between 1877 and 1898, there would be on an average five Junior Fellows between the ages of sixty and seventy, and very probably some beyond the latter age, in addition to the Members of the Board whose ages could not be more favorably circumstanced although they might reach higher limits. This state of things they consider would be fraught with danger to the College as a teaching institution and would involve grave considerations in relation to the progress of higher education in Ireland. They think that a scheme of retirement is required not only to provide for the ease of persons of advanced age, but also for those who may sooner become incapacitated by mental or bodily infirmity. They point to the Advowson Fund as the source from which a remedy may be procured; and they maintain that every trace of Church property has been eliminated from it.

Dr. Traill thinks there is even a much more serious consideration than the length of time it will take to reach the Board, and that is the number of years each Fellow will remain in each grade of Tutor. It is more serious "because as a Fellow in the senior grade of Tutors has a competence on which he can live comfortably at any rate, it does not matter so much to him pecuniarily to be delayed in reaching the Board as it does to a Fellow in a lower grade to be delayed in reaching a higher one."

Dr. Traill,  
Q. 324.

We think that what we have stated above is sufficient justification for our proposal to apply the income to arise from the Advowson Fund so as to afford some relief for the state of stagnation which does and is for some time likely to continue to exist. We now come to the consideration of the best way in which to do this. The Board submitted to us an extract from a proposal for a new statute, which was laid before the Government in December, 1876, with the consent of all the Junior Fellows. This provided that if a Senior Fellow should become permanently incapacitated he should be permitted by the Visitors of the College to resign his Fellowship, and to become an Honorary Fellow, upon certain terms therein specified. A similar provision was made for the case of a Junior Fellow, being either Junior Bursar or Senior Tutor, a Tutor, or a non-Tutor Fellow. The Advowson Fund was to meet the expense of these retirements, and it was therefore provided that the number of Honorary Fellows should not exceed the means of the fund to meet their salaries, excepting only that when once retired they should have their incomes secured out of the general funds of the College, if at any time the income of the Advowson Fund should run short. It also proposed that until the number of Junior Fellows should reach twenty-eight, one new Fellow should be elected in each year; that unless the number of Junior Fellows should be less than twenty-three, one Fellow only

App. No. 11

should be elected in each year; if it fell below twenty-three, two and two only should be elected in such year; and lastly, that the number of Tutor Fellows now existing should not be increased. The Junior Fellows added to this, in their statement, a suggestion that any Fellow at or after seventy years of age should be allowed to retire upon one of the places provided for in the scheme. They also made some further suggestions with regard to the retiring salaries and to the application of any balance of the income of the Advowson Fund.

App. No. II. The Provost suggested that, in addition to the scheme of the Board, two additional Senior Fellows should be added to the Board, the two Senior Tutorships being at the same time abolished; that the number of Junior Fellows should be reduced to eighteen, and that instead of the present Studentships, which are worth £100 a year, and are held for seven years, two temporary Fellowships, tenable for seven years, should be created; and for these there should be an election every year. This would make fourteen temporary Fellows, and he proposed that they should receive £200 a year each. It may be remarked at this point that a Junior Fellow as such only receives £40 a year, late Irish currency, and his income is made up from the tutorial fund (if a Tutor), and other sources such as examination fees, Readerships in Chapel, &c. The Provost thinks that the temporary Fellows would be almost certain to set aside other candidates for permanent Fellowships.

The Provost,  
Q. 12.

App. No. I.  
App. No. II.  
App. No. III.

The Vice-Provost appears to prefer the plan of the Board; the Registrar, on the contrary, supports the Provost's plan of terminable Fellowships, but would not add to the numbers on the Board; whilst Archdeacon Lee would create twenty decennial Fellowships, would reduce the number of permanent Fellows to eighteen, and fill up vacancies from amongst the decennial, or in cases of exceptional eminence, ex-decennial Fellows, without examination; and would abolish the fourteen Studentships; he would also reduce the number of Tutors.

Having thus drawn attention to the principal proposals which have been made, we now proceed to state our own conclusions. We are averse to the creation of honorary or retiring Fellowships; the retirements would be only voluntary, and the cases of permanent incapacity might be exceeding rare. At present there are but two such cases. One incapacitated Fellow is a member of the Board; the other a Junior Fellow. The Provost has stated that in all his long experience he has known only one other member of the Board to be permanently incapacitated. We recommend, as a more effectual measure of relief, that the number of Senior Fellows should be increased to nine, and that the quorum of the Board should be six, of whom the Provost or Vice-Provost should always be one. This would allow for the absence of any incapacitated member, and would probably quicken promotion to the Board, by about five years. If this be done, we recommend that (unless a quorum could not be otherwise secured) the practice of calling up a Junior Fellow to take the place of an absent Senior should be discontinued. A Junior Fellow has not the same rank, nor can he have the same influence, as a Senior Fellow, who is more fully acquainted with College affairs.

In addition to this, we think that an election for one Fellowship, and one only, should be held every year irrespective of vacancies. Assuming the average age of a newly elected Fellow to be twenty-six, the expectation of the duration of life at that age being 35·41 years, according to the Government Tables, the average number of Fellows would remain as at present, but the average number of Junior Fellows would be reduced by two. There would, in general, be two ex-Fellows who had retired on appointment to Professorships of Law. The cost of two new Senior Fellows would be £2,200 a year. That of the Junior Fellows, if above the present number, would of course vary with the numbers. The calculations which appear in the Appendix, will show that under this system the number of Fellows existing at any period will never be so great as to cause any serious strain on the funds of the College.

App. No.  
XXIII.

Putting the income to arise from the Advowson Fund at £4,900 a year, there would be still a balance to dispose of.\*

We do not recommend the creation of terminable Fellowships. Hitherto every person who has competed for a Fellowship has done so with the expectation that he would have to devote himself, if successful, to taking part in the teaching of the College, for the greater part of his career as a Fellow. Temporary Fellows on the other hand, having no certainty of ever obtaining permanent Fellowships, would in many instances be more anxious to devote themselves to some other profession by which they might gain a livelihood in after years. They would only be the present Students with another name and a larger income.

With regard to the claims made upon the Advowson Fund by the Professors who are not

App. No.  
XXII.

\*By the application of a part of the interest of the Advowson Compensation Fund, in payment of the expenses of the Divinity School an equivalent amount of the general funds of the College now applied to that purpose will be released, and will be at the disposal of the College in lieu of such interest.

Fellows, although we thought it right to hear and report the evidence, which they wished some of their body to give to us, yet we consider that their suggestions do not come within the scope of our Commission. We therefore refrain from offering any opinion concerning them.

In conclusion we recommend generally that any balance of income from the Advowson Fund be left at the disposal of the Provost and Senior Fellows, to be applied to such purposes as they shall at their discretion consider to be most calculated to advance the interests of learning in Trinity College.

All which we humbly submit unto Your Majesty.

BELMORE.	(L.S.)
MOUNTIFORT LONGFIELD, LL.D.	(L.S.)
JOHN MULHOLLAND.	(L.S.)
JOSEPH A. GALBRAITH.	(L.S.)
* S. WOULFE FLANAGAN.	(L.S.)
* A. M. PORTER.	(L.S.)

H. BROUGHAN LEECH,  
*Secretary.*

\* Signed by us subject to the following remarks.

We desire to qualify as follows our adoption of the conclusions in the foregoing Report.

We are of opinion :—

(1) That there should be an entire separation of the Divinity School and Trinity College, and that no special privileges in relation to the College, its buildings or discipline, should be preserved or established in favour of the members of any particular Church.

(2) That sufficient time has not elapsed since the passing of the Church Act to enable us to form a correct estimate of the probable future average number of students in the Divinity School. But we find that there has been a sensible diminution of the number since the passing of the Church Act.

(3) That we have not therefore sufficient data to enable us to decide what sum should be allotted for the maintenance of the school in as efficient a condition as before the passing of the Church Act.

We are, however, of opinion that the sum proposed in the foregoing Report is in excess of a liberal provision for its future support, and more particularly should be reduced by the portion of the salary (£653 19s. 8d.) paid to Archbishop King's Lecturer out of the "Decrements." We further think that the salary of the future Regius Professor of Divinity is in excess of what under the altered circumstances of the Church, and the proposed separation of the School from the College would probably be necessary, and also that the number of the assistant lecturers might be reduced.

S. WOULFE FLANAGAN.	(L.S.)
A. M. PORTER.	(L.S.)

# LIST OF WITNESSES.

---

	Page
Rev. H. Lloyd, D.D., Provost, . . . . .	17
A. S. Hart, Esq., LL.B., Vice-Provost, . . . . .	21
Rev. G. Salmon, D.D., the Ven. Archdeacon Streat, and H. Pilkington, Esq., Q.C., . . . . .	22
Rev. T. T. Gray, F.R.C.P., and Rev. J. P. Mahaffy, F.R.C.P., . . . . .	28
Professor E. Denden, Professor R. Atkinson, and Professor E. F. Wright, . . . . .	35
A. Palmer, Esq., F.R.C.P., . . . . .	37
Rev. J. Carson, D.D., F.R.C.P., Barrister, . . . . .	38
The Right Hon. M. Langfeld, M.P., . . . . .	42
Rev. J. W. Stubbs, D.D., F.R.C.P., . . . . .	42
Rev. Samuel Hargrave, M.D., F.R.C.P., . . . . .	45
Rev. H. R. Poole, F.R.C.P., . . . . .	46
A. Trull, Esq., M.D., F.R.C.P., and B. Williamson, Esq., F.R.C.P., . . . . .	49
Rev. J. A. Galtmire, F.R.C.P., . . . . .	55

# MINUTES OF EVIDENCE.

FRIDAY, NOVEMBER 2, 1877.

No. 7, 1877

Present.—Right Hon. the EARL OF BELMONT, K.C.M.G., in the Chair; Right Hon. MOUNTFORT LONGFIELD, LL.B.; Right Hon. S. W. FLASAGAN; A. M. PORTER, Esq., Q.C.; JOHN MUEHOLLAND, Esq., M.P., D.L.

The Rev. HUMPHREY LLOYD, B.D., Provost of Trinity College, Dublin, examined.

Rev. H. Lloyd, a.b.

LORD BELMONT.—In the questions which I shall ask you I hope you will remember that I am ignorant of technical terms, and in that respect what may be clear to the other Commissioners may not be altogether clear to me.

1. I wish to ask you some questions as to the scheme of retirement—that proposed by the Board of Trinity College?—Yes.

2. I believe that among the papers submitted to me there are two proposals for a new statute, one of which was laid before the Government last December with the approval of the Junior Fellows?—That is so.

3. In that proposal it was thought expedient that a provision should be made for the retirement of any of the Fellows of the College who might become permanently incapacitated for the performance of their duties by reason of old age, sickness, or any mental or bodily infirmity?—That was the main feature of the proposal.

4. Part of the scheme was that the Fellows who might retire should become honorary Fellows, and should receive a certain income out of the Advowson Fund?—Yes.

5. You agreed with that plan in the main?—I did. 6. Would you limit that retirement to persons incapacitated from sickness or mental or bodily infirmity, or would you include persons who might arrive to a certain age?—In a paper which I submitted to the Commissioners, I offered a suggestion which, if carried out, would virtually extend the provision of the Board beyond persons absolutely incapacitated. I proposed an increase of the number of Senior Fellows by two.

7. You would increase the number of Senior Fellows by diminishing the number of Junior Fellows?—Undoubtedly the plan proposed would have the effect of diminishing the number of Junior Fellows.

8. Do you think that would be a fair extension or alteration of the present system?—In the paper referred to I proposed a considerable alteration in the present fellowship system. But that was quite distinct from the proposition of the Board.

9. What is your own proposition beyond that of the Board?—The creation of temporary Fellowships, such as exist in the English Universities. By such an arrangement two important objects would be attained—namely, first, a more rapid succession to Fellowship, and secondly, a diminution of the number of life Fellows, and thereby a lessening of the time during which Fellows are engaged in the work of teaching. This latter object appears to be nearly as important as the former. When a man has been thirty years engaged in teaching the elements of science, unless the conscientious feelings are strong, there is an irksomeness in work so constantly repeated that tends to a perfunctory performance of the duty.

10. Do I understand your plan to be that on a vacancy the life Fellowships should be supplied from the temporary Fellows?—Not necessarily. I think there ought to be an examination of candidates for admission into the life body.

11. Would you throw the life Fellowships open to the whole body of the College?—Yes. But, as a

matter of fact, the temporary Fellows would be in most cases the successful candidates.

12. You would have life Fellowships and temporary Fellowships?—Yes.

13. The temporary Fellows would resign at the end of seven years?—Yes.

14. You would increase the number of the Senior Fellows from seven to nine, and that would have the effect of reducing the number of Junior Fellows to twenty-four?—Yes, to twenty-four.

15. With Septennial Fellowships there would be two vacancies every year?—Yes, two vacancies among the temporary Fellows.

16. In your paper you state—"Let the number of Senior Fellows be increased by two. This may be done without encroaching unduly on the funds of the College, if at the same time the two Senior Tutorships were abolished, and the difference of emolument supplied from the College chest." Will you explain that?—The senior tutors are each paid £800 a year, and the same sum forms the principal part of a Senior Fellow's income. The difference between the stated income of a Senior Fellow and that of a Senior Tutor is about £240 a year, so that the whole expense to the College would be about £240 a year.

17. Are the two tutorships held by the two seniors of the Junior Fellows?—Not necessarily, but they are always held by men of high standing. Some professors have preferred to hold their professorships rather than accept a Senior Tutorship.

18. Does the Senior Tutor get £800 a year as Senior Tutor and £300 a year as Junior Fellow?—No; £800 a year as Senior Tutor, and £40 a year as Junior Fellow; there are also fees for certain work and other fees.

19. And those fees and dues vary in amount?—They vary in amount.

20. The income of a Senior Fellow is £1,100 a year?—Yes, the average income of a Senior Fellow, as such, is about £1,100.

21. Do I understand you rightly, that the two persons who should be converted into Senior Fellows would receive as such the same amount, £1,100 a year?—Yes, but the loss to the College would be partly recouped by the abolition of the Senior Tutorships. The actual expenditure would be the difference between £1,100 and £840.

22. Judge LORCH.—The senior of the Junior Fellows is never in point of fact one of the Senior Tutors?—No; the senior of the Junior Fellows is generally Junior Bursar.

23. Do you apprehend any difficulty in your proposal from that circumstance?—I think not; the Senior man would become Senior Fellow. If not a Senior Tutor, he would probably exchange with a Senior Tutor.

24. The loss to the College would be only temporary during the existence of the present men?—Yes. But I take it for granted that the Senior Tutor would never throw an impediment in the way of the promotion of the senior of the Junior Fellows.

25. Mr. Longfield and Mr. Roberts are the seniors



Nov. 2, 1971.

Rev. H.  
Lloyd, n.n.

of the Junior Fellows?—Yes. In the proposed arrangement they would become members of the Board.

37. The next is Mr. Gilchrist, and he would become Junior Bursar?—Yes. The operation of my proposal would be much the same as that of the plan of retirement proposed by the Board, which makes the retiring persons Honorary Fellows. The difference is, that in the former case they would be Fellows by right, and give their votes at the Board as a matter of course, but not hold office.

38. Judge FLEMING.—Do you consider that the increase of Senior Fellows would be an advantage to the College generally?—I think it would enable men post the onerous work of some of the offices to take part in the affairs of the College. The present system does not work satisfactorily. The Junior Fellows called up to the Board in the absence of Seniors are not conversant with the details of Board business, and consequently do not usually take much part in it.

39. Mr. POORE.—As I understand your scheme of Septennial Fellowships two Fellows would be elected each year?—Yes.

40. So that there would be fourteen?—Yes.

41. The salaries at the rate of £200 a year would be an additional expense of £2,800?—Yes; but as the studentships would be abolished, there would be a saving of £1,600.

42. What annual fund would he required to provide for the retirement scheme?—According to the scheme of the Board that is an uncertain element. The scheme which I propose—the creation of Septennial Fellowships and the addition of two members to the Board—would cost about £2,200.

43. The precise income of the Advowson Fund is about £5,000?—It will be, when properly funded.

44. You would supply the deficiency from the College chest?—Yes.

45. Have you seen the paper of the Professor?—I have not any distinct recollection of it.

46. Judge LONGFORD.—Do you consider the addition of the two Senior Fellows which you propose a substitution or an addition to the other plan?—The proposal of the addition of two Senior Fellows was not made by the Board.

47. Do you propose it as a substitute?—No, as an addition. I assume that once of retirement from absolute incapacity would not be numerous.

48. But that would not interfere with the number of actual Senior Fellows and actual Junior Fellows?—No.

49. You have been a long time a Fellow?—A very long time.

50. How many Senior Fellows have you known to be incapacitated from attending at the Board during your career?—Not more than two permanently incapacitated.

51. Have you been fifty years a Fellow?—It is fifty-three years since I was elected a Fellow.

52. Mr. MURDOGH.—For how long a period were they incapacitated?—One of those to whom I have referred has accepted leave of permanent absence, and is still living. The other was incapacitated by mental infirmity to the end of his life—I cannot remember how long.

53. Lord BENBURN.—With regard to the infrequency with which College livings have of late years been accepted by Fellows, was that owing to the effect of the Collation Statute?—The repeal of the Collation Statute had a great effect on our entire system. I have made a calculation of the number of livings presented to by the Board between 1840, the year of the repeal of the Collation Statute, and 1870, the year of the disestablishment of the Irish Church. Thirty-two presentations to College livings were made by the Board during that period, and of those twenty-two were made to persons who were not Fellows. Before the repeal of the Collation Statute, almost every living was taken by a Fellow. The livings have not been in my time much taken by Senior Fellows. In the early period of the College they were.

54. It appears that, in point of fact, at the time of

the disestablishment of the Irish Church only eight livings were held by Fellows, and two by former Fellows who had retired on College livings, and had exchanged them?—I do not remember the exact number.

55. The statement of the Board gives the names of eight Fellows who had retired on College livings, and two others, Dr. Thomas Hennessy Robinson and Dr. J. V. Rutledge, who had exchanged the livings on which they had retired?—I believe that statement to be correct.

56. Mr. POORE.—The twenty-two were the similar livings?—For the most part.

57. Judge LONGFORD.—Were the Senior Fellows who took livings affected by the Collation Statute?—I am not able to say from memory.

58. Did not the Collation Statute come into operation in 1813?—In 1811.

59. Therefore all Fellows who had been elected before that were not affected by that statute?—As a matter of fact, they were affected by that Statute, but the disability thereby imposed was removed by a Royal Letter of the following year.

60. Mr. POORE.—Did it affect the Senior Fellows?—It was in force as to all Fellows who were unmarried in November, 1811, or who were elected between the years 1811 and 1840.

61. Judge LONGFORD.—Do you think that the situation of the Junior Fellows in Holy Orders is made materially of less value by the destruction of the advowsons?—Only to the extent of the livings that would have been accepted by them. According to the calculation which I have mentioned one-third only of the livings given away after 1840 were accepted by Junior Fellows.

62. The best living in the gift of the College was Cloughery?—It is.

63. The next was Ardara?—Yes.

64. A Fellow of about three years' standing got it?—That is so.

65. The next was Cappagh?—Yes. I may mention generally that I made a calculation of the average standing of the Fellows who accepted livings after the repeal of the Collation Statute, and found it to be six years. Consequently the livings had the effect of producing circulation only at the bottom of the body.

66. Mr. POORE.—Was there any special class to whom livings were given, which were not accepted by Fellows?—The Board generally selected men who were distinguished in their University career.

67. Did the Professors, in point of fact, receive many of these livings?—One or two did. But the Professors were not so large a class as it is now; and many of the Professors are laymen.

68. Lord BENBURN.—The Rev. George Bishay Smith, the incumbent of Drumagh, was a Professor. Was he also a Fellow?—Yes; he had been a Fellow.

69. Judge LONGFORD.—Mr. Mounsey was a Professor and not a Fellow?—Yes, and so was Archer Butler.

70. Mr. MURDOGH.—Was not the living of Drumagh, the emoluments of which are £1,000, offered to all the Fellows in 1867 and refused by them all?—I believe that is so.

71. The Rev. Samuel Green, the incumbent of Ranskillen, was not a Fellow?—No; he was a Scholar.

72. Was the Hon. and Rev. J. C. Madden a Fellow?—No. There was a question as to the actual average rate of accession to Fellowships, which I mentioned to the Secretary on one respecting which I thought I could give some information.

[Permission was given.]

An important element in any new legislation is the actual average rate of accession to Fellowships, in the present condition of the College, after the disestablishment of the Irish Church and the transfer of the Divinity School. The calculation which I made was the following:—The University Calendar gives the year of election of each Fellow, and also the year of his death, and consequently, the duration of life after election. Making this calculation for the years

between 1790 and 1854, I found the mean duration of a Fellow's life after election to be thirty-eight years. That result is confirmed also by the tables of mortality. It is generally considered that the average age of election to Fellowship in Trinity College is twenty-six. The *Catholice Tabule* give 37·1 as the expectation of life of a person of twenty-six years of age; and the tables of the seventeen offices give 37·3 years. Assuming the number 38 to be correct, it follows that the future average rate of succession to Fellowships is obtained by dividing the actual number of Fellows by 38. For the existing number of Fellows (35) therefore, the average annual number of vacancies is the fraction 0·87; or, if the Provostship be regarded as an office which will be filled by Fellows only, 0·93, or nine in every ten years. The chief objection to the present state of things is the variability at the time. There may be two or three years without a vacancy, and afterwards two or three vacancies in a single year. A remedy has been suggested by the Board, and included in the draft of the proposed statute which they forwarded to the Government. The remedy is to vary the number of Fellows, keeping the number of vacancies as constant as possible. I believe this would be a very great improvement.

63. Lord BLENHEIM.—Then instead of there being a fixed number of Fellows you would have one elected every year?—Yes; within certain limits.

64. Sometimes there would be more, sometimes less, sometimes twenty-three, sometimes twenty-eight?—Yes, precisely.

65. Judge LEXINGTON.—You remember the creation of the new Fellowships—when ten were added?—Yes.

66. What effect had that on the time of coming to the Board?—It increased considerably that time, and in a very objectionable way. The statute which created the ten new Fellowships ordered that the appointments to them should be irrespective of actual vacancies. That was expressly contrary to the provisions of the Statute of George III., by which the preceding addition to the body of the Fellows was made. The result of that mistake has been to bring ten men into the body of nearly the same age, and who may consequently be expected to become superannuated about the same time.

67. Judge FLANAGAN.—How were these elections made?—In ten successive years.

68. Judge LEXINGTON.—Was there not a reservation that no more than two should be elected in each year?—Yes. But that was after the whole addition had been made.

69. Lord BLENHEIM.—Do you anticipate the probability that in a certain number of years when those ten men become superannuated there will be a sort of reaction, and the vacancies will come more quickly?—Certainly.

70. I think the Board stated in their paper that they had been advised that the Fellows in private orders have no special claim for compensation on account of the loss of the advowson?—Yes, we have had legal advice on that question from two eminent lawyers.

71. Mr. MURKILLAND.—In the answers to the Queries (p. 10), I find that "In the year 1838 the Rev. Geo. Sidney Smith accepted the living of Anglesborough, and he was presented to Drumagh on his being refused by all the Fellows in the year 1867?—That is true.

72. Lord BLENHEIM.—The Board, I think, from what I see in these papers have made a proposal to the Divinity School Committee?—Yes, to hand over an annual sum to the Church Body equal to that at present expended on the Divinity School.

73. Supposing that to be done do you think that it would be advisable that the University should continue to have control over the Divinity School?—Would you give up the entire control over the money, or would you prefer to have a sort of joint control divided between the University and the representatives of the

Church?—I would rather give the entire control to persons appointed by the Church. There are grave difficulties in the Board continuing to govern the Divinity School.

74. You are, no doubt, familiar with Doctor Salmon's plan?—Yes.

75. Doctor Salmon's plan attempted to meet the difficulty by taking away the jurisdiction, so far as the University is concerned, from the Board, and vesting it in a sort of Council elected by the College who should act with the representatives of the Church?—Yes.

76. Dr. Salmon states in his letter, p. 4.—"With regard to the constitution of the proposed Council the model of the existing Council might be followed, and there might be four different sections: (1) There ought to be members nominated by the Board. The harmony that has existed between the Board and the present Council mainly arises from the knowledge each body has of the feelings of the other, through the presence of influential members common to both: (2) Corresponding to the sections nominated by the Junior Fellows and by the professors would be in this case members appointed by the teachers in the school. The two principal teachers, the Regius Professor and Archbishop King's Lecturer, are such natural advisers of the Council that it may be a question whether they ought not to hold their position ex officio: (3) There ought to be members nominated by the bishops. It is most important of all that the management of the school should meet their approval, since it rests with them to determine whether they will require the certificates of the schools from candidates for orders: (4) There might be members nominated by the deans and lay members of the Synod; or else by the members of the Senate who are also members of the Church. Except, perhaps, in the last case there seems no advantage in the cumulative method of voting." You do not approve of that plan?—No. I think it would not be a permanent arrangement. I believe that Dr. Salmon suggested it to avoid the danger which must arise from leaving matters much longer in their present state, rather than as a real improvement.

77. Are you in favour of an entire separation of the Divinity School from the College?—No. I would allow the Divinity School to be connected with the College, as far as is consistent with a separate governing body; and in that view it was proposed by the Board to throw open the buildings and lecture-rooms of Trinity College to the Divinity School, and so to maintain the principle that has been always acted on, of having the education of the clergy of the Church of Ireland conducted along with that of laymen.

78. But you would have no connexion further than allowing the use of the rooms—would you not make it a condition that the lectures should be by members of the College?—No. I should not like to impose on the Church any restriction in the choice of the teachers of the school, much less a restriction which cannot long be maintained. A close connexion between the Divinity School and the College would always be maintained by the provision of the plan,—that, in consideration of the money proposed to be handed over by the College to the Church, the students of the College should have the privilege of receiving instruction in the Divinity School, as at present, free of charge.

79. That implies that there would be students in the Divinity School not connected with the College?—Certainly.

80. Do you agree with the Board in the second resolution (at page 4 of their statement) that they should confer a similar privilege on any other religious body desiring that its candidates for orders should be instructed in Trinity College?—I do, provided that body were sufficiently large to make it of importance.

81. "In fixing the qualifications for a Theological Degree the Board are willing to accept the certificate of any of the theological schools so placed in connexion

Ans. 2 1871.

Rev. H. Lloyd, &c.

Nov. 2, 1877.

Rev. H.  
Lloyd, Esq.

with Trinity College, as a sufficient testimonial of the candidate's theological acquirements." Do you agree in that resolution?—I do.

82. What best would you, or could you, apply for the exercise of any control that should be vested in the College?—I do not think that it would be advisable to grant such privilege to a religious body of minor importance. Indeed, such a case could hardly arise, because the proposition is that the body should itself be able to confer professorships in the College.

83. That is, that they should be able to pay professors?—To pay professors for the religious instruction of their own members.

84. Then, with regard to the question of the application of part of the Advowson money asked for by the Divinity School Committee, the plan proposed was, I think, that a capital sum equivalent to what may be ascertained to be spent by the College on the Divinity School should be handed over in trust to the Representative Body of the Church, and in return for the money the students of Trinity College should continue to receive instruction in the School as hitherto without charge—was not that the plan?—It was.

85. Are you in favour of that plan?—I am; I think it preferable to the plan of the Board.

86. The original plan was that an annual sum should be handed over to the Church Representative Body?—Yes.

87. Judge LORIMER.—You would take the certificate of the Divinity Professor as a sufficient qualification?—Yes, for a Divinity degree.

88. That is, in addition to the candidate being a graduate of the University of a certain standing?—Certainly.

89. Lord BELMONT.—You would admit to the lectures but not to the degrees?—By the statutes of the University, Degrees in Divinity cannot be granted except to graduates of Oxford, Cambridge, or Dublin, of a certain standing.

90. Judge LORIMER.—The candidate should have a certificate from the College to obtain a University degree?—Certainly.

91. That is, a certificate of being a B.D. for the degree of D.D., and a certificate of being a B.A. of a certain standing for the degree of B.D., besides the certificate of the Professor?—Yes; and then the secular education of the candidate would be conducted in the College with other students.

92. Lord BELMONT.—Would you be satisfied that the College should confer the degree of B.D. on a person over whom the College had no control, or who might not be a member of the University at all?—No.

93. Would you be willing to confer it if he should be a member of another University?—Yes, if he were admitted as *ex-ordinis* gradum here.

94. Mr. PEARCE.—Are ad eundem degrees conferred on graduates of other Universities?—Yes; on graduates of Oxford and Cambridge.

95. Lord BELMONT.—Are ad eundem degrees conferred without any examination?—Without further examination. A graduate of Oxford or Cambridge is admitted as *ex-ordinis* gradum here on the production of his University certificate.

96. Judge FLANAGAN.—That is limited to Oxford and Cambridge?—It is.

97. It does not extend to the Queen's College?—No.

98. Do you propose that the secular education of the young men who are to go into the Divinity School should necessarily be conducted in Trinity College?—Not as a condition of his admission to the Divinity School, but as a condition of his obtaining a Divinity degree.

99. You would make that condition?—Yes.

100. For example, you would admit a graduate of the Queen's College who attended the Divinity lectures and got his testimonium. You would insist on his getting a secular education in Trinity College before he got his testimonium?—Not before he got his

Divinity testimonium, but before he got his degree. We do not acknowledge, as yet, the degrees of the Queen's Colleges. We could not give a Divinity degree to a graduate of one of the Queen's Colleges, although he might have gone through the Divinity course.

101. Would the practical course be that no person could go through the Divinity School unless he has gone through the ordinary college course?—No; students are now permitted to join the Divinity School after a preliminary examination, and without passing through the arts course, or any portion of it.

102. Lord BELMONT.—I think your plan proposes two things—one, that the students should get the advantage of the Divinity School, with a view to their becoming clergymen, and the other, that they should get the regular education to qualify them for a degree?—Yes.

103. You would allow students outside the College to go through what would be necessary to qualify them to be clergymen, but would limit the granting of degrees to persons who were either students of the College or ad eundem graduates?—Precisely.

104. Mr. PEARCE.—But, as I understood, the Divinity School would be under the control of the Church Body?—It was so proposed, in reference to the existing Divinity School, but it was not contemplated that any body external to the University should interfere with the degrees.

105. I understood you to say that the only point the College would stipulate for was, that the students of the College should be admitted to the Divinity School gratis?—Yes, precisely.

106. As regards bodies, other than the Church of Ireland, any religious body might have a Divinity School in connexion with Trinity College?—Yes, if the number of their students was so large as to make it desirable.

107. Do you think it likely that any other religious body would avail itself of the privilege?—I think it not impossible that the Presbyterian body would. They might found one or two professorships in connexion with their own Church, and require their Divinity students to attend besides the lectures of our professors. I know that Presbyterians have frequently attended the lectures of the two Professors of Divinity.

108. In order to get degrees?—Not necessarily for the purpose of graduation; but for the certificate of the Divinity Professor.

109. Lord BELMONT.—As I understood the plan of the Board, the Professors of the Church of Ireland would not be Professors of the College?—Not necessarily.

110. They would not be recognised as Professors of the College?—No. But inasmuch as it was proposed that they should lecture in College they would, to a very limited extent, be under College control.

111. Judge LORIMER.—I think the Professors of Spanish and Italian are not under the control of the College?—They were formerly paid and appointed by the Crown. They are now paid and appointed by the College. I do not know whether I might venture to offer a suggestion as to the compensation of the Church of Ireland for her Divinity School. It is simply, that the Church of Ireland should receive a sum for the support of her Divinity School, which should bear to that—which by Irish Church Act of 1869 was given for the College of Maynooth—the same proportion which the number of the clergy of the Church of Ireland bears to that of the Roman Catholic Church.

112. Lord BELMONT.—Does not Maynooth give secular instruction?—It does.

113. The same secular instruction as is given in Trinity College?—Yes.

114. Mr. MURPHY.—Only 30 per cent. of the students of the College qualified to join the Divinity class are Divinity students?—About that proportion, or latterly even less.

113. Judge FLANAGAN.—Since the Act of 1869 has there been an increase or diminution of Divinity students?—There was a considerable diminution after the time of the passing of the Act. But the number is now increasing again.

114. Lord BELMONT.—What is the average number of Divinity students in Trinity College?—For some years before the passing of the Church Act it was about 150 in the two classes.

115. Do you happen to know how many students there are at Maynooth?—I believe upwards of 500. But the duration of the course is much greater than ours.

116. Judge FLANAGAN.—I believe there are a good many assistant Lecturers in Divinity?—There are none.

117. Are they not Junior Fellows?—Until lately they have been so; at present two of them are not Fellows.

118. Do you think that the same number would be necessary if the Divinity School was separated from the College?—I do not think so. At present the Divinity Assistants lecture twice a week. A Divinity Lecturer who had not the same engagements as the Junior Fellows might readily lecture four times a week. I dare say that if the plan suggested were adopted the work could be done by four or five assistant Lecturers.

119. Lord BELMONT.—Are the classes small?—The Lectures do not like to have more than fifteen or sixteen in a class. The lectures are mainly tutorial.

120. Judge LORNE.—What do the Assistant Lecturers get?—£50 a year.

121. Do you think you would get them for that if they were not Fellows?—Not easily. There are, however, now two Assistant Lecturers who are not Fellows.

122. Judge FLANAGAN.—Would the Junior Fellows have more time for other work if they ceased to be Assistant Lecturers?—It would certainly diminish

their work; for, though much time is not taken up in the act of lecturing, the preparation for lecture is not inconsiderable.

123. Lord BELMONT.—When you said that the compensation to the Church of Ireland ought to be in proportion to what was given to Maynooth, did you point to any source from which the compensation was to come outside the revenues of the College or the Advowson Fund?—I think it should be taken, as in the case of Maynooth, from the Funds in the hands of the Church Commissioners, at least so far as it exceeded the amount at present expended by the College.

124. Mr. FORSTER.—I suppose that the vast majority of the students who take holy orders take them in Ireland?—Yes.

125. Some in England?—There are some, but the proportion is smaller than is often publicly stated.

126. Has that proportion been altered by the Church Act?—That I am unable to answer. There are always some going to England. There is a class of men who obtain holy orders in the Church of England without passing through a University. Such men frequently enter the University of Dublin and graduate there, because they can get a degree without residence.

127. Lord BELMONT.—Dr. Salmon states in his letter (p. 2) "I find that out of 243 students who become qualified by standing to join the Divinity School this year, seventy actually did so"—do you agree with that?—I have no doubt that Dr. Salmon's statement is exact.

128. How long does the Divinity course last?—Two years. They join in the Junior Sophister year, not in the Senior Sophister year as formerly.

129. Mr. FORSTER.—Seventy is the average of those who join the Divinity School?—That is about the average of the years preceding the disestablishment of the Irish Church; but it is above the average of later years.

ANDREW SEARLE HART, Esq., LL.D., Vice-Provost of Trinity College.

A. S. Hart,  
Esq., LL.D.

130. Lord BELMONT.—Would you favour the Commission with any remarks that occur to you with regard to the question of successions?—I have nothing to add to what I have stated in the paper which I sent in. My own feeling is that the average rate of successions to Fellowships is not inconveniently slow, and I think what is wanting is something to make it uniform. I think that the average succession to Fellowships may be calculated at one per annum; but owing to accidental circumstances the accession has been unusually slow for a few years. That arises from the number of Fellows elected soon after 1840, and for a few previous years.

131. Would you be in favour of the plan which the Provost suggests of enlarging the number of the Board?—I do not see the object of it. It appears that for a few years all the Senior Fellows will be nearly of the same age, and that there is consequent danger of several of them being superannuated at the same time. I do not think it well to establish a general rule to provide for a temporary inconvenience. The succession will become uniform. Seven men are sufficient without adding to the number. I do not see any use in having nine where seven are sufficient.

132. Have you considered the matter suggested with regard to the Septennial Fellowships?—It has been before the Board for a long time, but they are very doubtful of its working satisfactorily. The Septennial Fellows, in the majority of cases, would be nearly the same men with a different name as the present assistants. They would draw an income without performing any duties. The Provost's idea is that they should be induced to perform duties by being appointed lecturers, and that they should afterwards become Life Fellows. That might work very well if there was a certainty of their becoming Life Fellows; but at the end of seven years there might be no vacancy, and thus they would be disappointed.

133. You think the Septennial Fellows would make a start for some other profession than that of teaching?—I think if they were wise men they would.

134. Do you happen to remember what income the College has at its disposal?—I cannot state the amount from memory. The income from the estates is, I think, about £30,000 a year.

135. Can you tell me whether there is any surplus of income over expenditure in that £30,000 a year?—There is a present surplus every year in consequence of the Advowson Fund. Beyond that Advowson Fund the surplus is very small.

136. What is done with the income of the Advowson Fund?—The money is funded. The annual income goes into the general revenue. The capital is invested in Three per Cents as a separate fund, so that the precise amount received can be ascertained at any time.

137. Do I understand you to say that the income is not invested?—The surplus of the income over expenditure, together with the money invested in the redemption of quit rents, is nearly equal to the dividends of the Advowson Fund, so that practically the dividends are not spent.

138. Judge LORNE.—A Junior Fellow is called up now when there is not a sufficient number of Senior Fellows at the Board?—Yes.

139. Do you think that the influence of the person so called up and his knowledge of the business of the Board is equal to that of a Senior Fellow?—In case of the permanent absence of a Senior Fellow the person called up holds a permanent place, and his influence and knowledge are usually fully equal to that of a Senior Fellow. In case of temporary absence, there is doubtless a want of knowledge on the part of the person called up; but such cases seldom occur.

Nov. 3, 1877.

A. S. HARR,  
Esq., M.P.

142. Have you ever known the Bursarship to be given to a Junior Fellow?—No; a Junior Fellow could not conveniently discharge the duty.

143. There is but a small number of Senior Fellows sitting on the Board?—Only six at present.

144. How many besides yourself have held the office of Bursar?—Two of them. The provision of the statute 18 Victoria is intended to meet the case of one or two men being disabled. One of the Junior Fellows is called up, and he becomes a member of the Board for the time being. The advantage of that system over that of having nine Senior Fellows is that it only comes into operation when the occasion requires it. Ten years ago none of the Senior Fellows were disabled. At that time to add to the number of Senior Fellows would have been a waste of money. At present the case is different. But if a temporary remedy is to be applied, the proposed system of retirement would be effected.

145. Would you make it compulsory to retire?—To make it compulsory would require an Act of Parliament.

146. You were elected Fellow in 1835?—Yes.

147. Mr. William Roberts was elected in 1841?—Yes.

148. So that every one of the present Senior Fellows were elected in those six years?—Yes. It was after 1840 that a large number of Fellows came in.

149. Lord BELMONT.—Now, as to the Divinity School?—It was suggested by the Board three years ago that the qualification for theological degrees should be the certificate of the professors of the particular denomination to which the candidate belonged. Since that, the matter has been brought before the Senate of the University, and they have altered the system. According to the new rule a person may get a theological degree without belonging to any particular religious sect. No declaration of opinion is required. All that is required is to pass an examination before the Regius Professor of Divinity. The Senate clearly assumed that the Regius Professor should be a member of the University. If the Professor should be appointed by the Church of Ireland, it would be necessary to have a new Professor appointed by the University. The new rule of the Senate seems to modify the proposal of the Board with regard to the certificate.

150. Would it be possible under the present system for a Jew to get a degree?—It would.

151. Judge FLANAGAN.—What particular difficulties would the Regius Professor teach him?—That is left entirely to the Professor of Theology. The course should be under the authority of the College. I presume it would be a course intended for a Christian, but a Jew might make himself acquainted with that course.

152. Judge LONGFIELD.—There are two difficulties—one that the examination might be by a person not bound by the rules of the College; the other that the examination might be by a person of a different faith from that of the candidate?—Yes.

153. Do you not think that those difficulties might be provided against?—I believe the system carried on in the Scotch Universities and on the Continent, is to have the examination in theological works without inquiring into the religious belief of the candidate. The University would settle the course.

154. Lord BELMONT.—Would there not be this difficulty, that the Professor would have to inquire into the religious profession of the candidate?—I presume the questions would be as to what were the opinions of such and such an author, and the candidate should give the answer correctly. Suppose a member of the Church of Ireland was examined in a work written by a Roman Catholic author, he would be required to state what the arguments of the author to support his views were, without stating whether he agreed with him or not.

155. Mr. MULHOLLAND.—What is your opinion as to the proposed plan of a joint Board consisting of members appointed partly by the College, partly by the Irish Church?—It would get over the temporary difficulty. But I am speaking now not of the Divinity School but of the mode of examination for degrees.

156. Mr. PORTER.—The Regius Professor is appointed by the Board?—Yes. The only function of the Regius Professor would be to examine for degrees.

157. Is there more than one examination for degrees?—Only one.

158. Judge LONGFIELD.—As it stands at present the Regius Professor of Divinity must be a member of the Church of Ireland?—Certainly.

159. No matter who elects him?—Yes.

Nov. 3, 1877.

SATURDAY, NOVEMBER 3, 1877.

Present:—Right Hon. the EARL of BELMONT, K.C.M.G., in the Chair; Right Hon. MOUNTFORD LONGFIELD, M.P.; Right Hon. S. W. FLANAGAN; Rev. J. A. GALBRAITH, F.R.C.D.; JOHN MULHOLLAND, Esq., M.P., D.D.

Dr. SALMON,  
Archdeacon  
Strome, and  
Mr. Pilkington.

[The Rev. G. SALMON, D.D., Regius Professor of Divinity, The Venerable Archdeacon STROME, and Mr. PILKINGTON, Q.C., representing the Committee empowered by the Synod of the Church of Ireland, presented themselves to the Commissioners in support of the statement of the Church of Ireland in reference to the Divinity School.]

160. Lord BELMONT.—You were appointed as a committee to consider the question of the Divinity School?—Archdeacon Strome.—Yes.

161. Will you state what steps were taken by you in the matter?—There was a meeting of the committee, at which it was resolved to apply to the Provost of the University stating the circumstances and requesting that no arrangement should be made for allocation of this money, without taking into consideration the claims of the Divinity School.

162. You mean the Advowson Fund?—Yes; and we presented a memorial to the Government that a portion of the money belonging to the Church and now in the hands of the Church Commissioners should be applied to the support of the Divinity School.

163. This commission is confined to the Advowson

Fund?—Yes. We had a meeting with the authorities of the college.

164. State the result of your communication with the Board?—The following resolutions were entered into by the Board:—

"1st. That the control and management of the Divinity School be transferred to a council appointed by the Church of Ireland, reserving the substantial rights of the existing professors and lecturers.

"2nd. That on the vacancy of any professorship or lectureship in the Divinity School, a sum equivalent to the salaries and payments made to each professor or lecturer shall be paid annually to the Representative Body of the Church of Ireland towards the maintenance of the Divinity School on the following condition, viz.:—That the students of Trinity College shall continue to receive instruction in the school as hitherto, without charge.

"3rd. That the Students in the Divinity School shall be

desires to continue as at present to have the use of the lecture-rooms in Trinity College for theological instruction, provided that the lecturers are subject to ordinary collegiate discipline, and that they accommodate their time of lecturing to the requirements of secular instruction in Trinity College.

4th. That the Board of Trinity College are willing to confer a similar privilege on any other religious body desirous that its candidates for orders should be instructed in Trinity College."

The committee accordingly had a conference with the Board in which they expressed their approval of these resolutions, except that in reference to the second resolution they suggested the advisability of effecting the security of the pecuniary part of the arrangement by capitalizing the proposed annual payments, and handing over such capital sum to the Representative Body in trust for the purposes of the Divinity School. The Board referred the scheme to their legal advisers, who stated that an Act of Parliament would be necessary in order to give effect to the plan.

165. The control and management of the Divinity School was, in the first instance, to be in the College, but was to be handed over to the council appointed by the Church after vacancy in the professorships and lectureships. We may take it for granted that an Act of Parliament can be obtained, and that the Government will be prepared to take any steps to carry out the recommendations of the Commission provided they agree with them?—Yes. The Divinity School Committee would prefer a capital sum.

Mr. Piffington.—It has been thought that the Church made a direct claim on the Advowson Fund, and accordingly the Provost and Senior Fellows say in their statement, p. 2:—

"It has been suggested that the advowsons were granted to the college for the good of the Church, and that therefore the Church has an equitable claim on the money which was given as compensation for these advowsons."

But you will find that our suggestion was that the Advowson Fund afforded an opportunity to capitalize what may be claimed by the Church, and that would not conflict with the claim of the Junior Fellows because the income of the Divinity School would be there to repay them.

The passage to which I refer in our statement is on page 8:—

"Whatever may be thought of the direct claim of the Church on this fund, its existence will facilitate the satisfaction of her claims on the general funds of the college, for it will be obviously expedient, for many reasons, to capitalize whatever may be fairly claimed from the college for the purposes of the Divinity School and the possession of the Advowson Fund makes it easy for the college to do so."

Dr. Salmon.—When an Act of Parliament is in contemplation it would be as easy to get a capital sum as the income. In the first place, to give a capital sum would be more to the advantage of the College—who at present only realize the interest in the Funds, and would be allowed four per cent in capitalization. In the next place, an annual payment would not give a permanent settlement of the question. There is no practical probability that a capital sum once paid would ever be recalled; but even an Act of Parliament assigning an annual sum to the Divinity School might any year be repealed, and there might be constant agitation for such repeal.

166. I think, Dr. Salmon, we may take it that the expenditure of the College on the Divinity School, over and above private endowments is in round numbers nearly £3,000?—About that.

167. That provision for the salaries of the Regius Professor and Archbishop King's Lecturer, the Professor of Biblical Greek, and the nine assistants to yourself and Archbishop King's Lecturer?—That is the staff besides some small offices.

168. Are you of opinion that if an alteration such as which has been suggested were made, any economy would be effected by reducing the number

of assistants without injury to the teaching?—No. I think the present staff of assistants is as small as it could be—but I think the payments to them would in all probability require to be increased. The present Junior Fellows have undertaken the work as incident to their position. They took their Fellowships with an obligation to enter into holy orders, and part of their work as Fellows was the work of the Divinity School. But if we have to employ other gentlemen as assistants we must pay them properly. It is quite possible that hereafter the salaries of the professors might be reduced and those of the assistants increased.

169. What salaries would you think would procure efficient men as professors?—It is hard to say until we know with what incomes leading clergymen in the Church of Ireland will be provided on our new system, for this will regulate the standard of payment to Professors. It will besides be necessary to provide bursaries and scholarships for the school. Hitherto the College Scholarships were confined to members of the Established Church, and a large proportion of them entered Holy Orders, all being obliged to attend the Divinity Lectures. Now it will be necessary to make other provision for poor Students. I am sure there would be no saving, but absolutely the reverse.

170. You do not agree in opinion with the Provost, who stated yesterday that in case of an alteration in the Divinity School the number of assistants might be reduced to four or five?—There would certainly be no economy in that. The case stands thus:—There are at present several Fellows who give part of their time to the Divinity School, receiving £30 a year each. If you get one man to give up his whole time and give him the whole work of two, you must give him the salaries of two men. Perhaps a man could be got to do the double work for £105, but I doubt it. I do not think that by getting two assistant lectureships together you could get a man to do the work of them for £100.

171. What number of students are there now in the Divinity School?—About 100. Lately the numbers have been certainly increasing. The Divinity School got a great blow by the disestablishment of the Church, but the number of students has been increasing every year since. At the time of the disestablishment my class was at once reduced to about half what it had been before. It has not got up to its former numbers, but it is not near so low as it was in 1869. Every year it is increasing as the prospects of the Church improve, and it may get up to its former number.

172. Will you tell us the system on which you proceed in the Divinity School. For example, what part do you yourself take in it, and what part of the work do Archbishop King's Lecturer and the assistant lecturers take. What is the nature of the work?—The course lasts two years. Archbishop King's Lecturer has the instruction of the students in the first year. I have the instruction of the students in the second year. Besides I have a general superintendence of the school. The lectures I give are in the nature of what we call prelections. The difference between a lecture and a prelection is this. It is a prelection when the lecturer has all the talk to himself. A lecture is conducted more on the catechetical system. The general system is that the Regius Professor and Archbishop King's Lecturer deliver prelections. The assistants give a text-book to the students to prepare and put questions to them out of it. I have been in the habit of giving voluntary lectures on the catechetical system. But the rule of the college is that the heads of the Divinity School prelect; the assistants catechize.

173. They teach at different times?—Yes. The assistants work on textbooks; the heads of the school take the whole course. We hold examinations afterwards on the subjects.

174. Mr. GALBRAITH.—Dr. Salmon, you suggest that there should be an increase of salary to the assistant lecturers. You say that £30 a year would not get them. Have you formed any idea of how much ought to

Nov. 4, 1875.

Dr. Salmon,  
Archdeacon  
Salmon, on 1  
Mr. Piffington.

June 1, 1877.

Dr. Selwyn,  
Archdeacon  
Down, and  
Mr. Phillips.

be given to gentlemen acting in that capacity?—It is very hard to answer that question. It is probable that the salary of the Professor must be reduced, because we shall not be able to afford to give them; not that they see at present larger than is necessary to attract able men from other professions. My salary is £1,200 a year. Comparing it with what men get in other professions who have by no means attained the very highest success, I think my salary not large.

175. Suppose that it was estimated that the nine assistants should get £200 a year each, that would be £1,800 a year. I want to see what resources are available—I want to see where that is to come from!—What we would get men for would depend entirely on what would ordinarily be given in the church—what the common run of parish clergymen would get. It seems to me that that is beyond the limits of this Commission. We think our claim is to get the money spent on the Divinity school. If the church finds that that is not enough the church must supplement it. I think it would not be enough. I think more funds must be provided; but I do not think it right to make a claim on the college for an additional payment. We should confine our claim to what the college are in the habit of expending on the divinity school; any additional fund ought to be raised by the church itself.

176. Mr. MITCHELL.—What do you say was the normal number of students before 1869?—I remember when the number was, perhaps, 250. Before the disestablishment of the church it had come down to 150. I would guess that the number some thirty years ago was 250; immediately before the disestablishment about 150, in 1869 it dropped down to seventy-five. Now the number is over 100 again, and the school is in a fair way of getting up to what it was before the disestablishment.

177. You say in your letter that in 1876 seventy students joined the divinity school?—That was, I believe, the number in Dr. Lee's class.

178. Then there must be rather over 100?—I should think so.

179. How many would be required to fill up the requirements of the church?—Considerably more. A large number of students retire without taking out their testimonials.

180. Would seventy per annum be sufficient?—More would be required.

181. You do not think seventy would be sufficient?—No. In several of those years students got ordained without finishing the divinity course. I think an increase in the number would be required. Many of them do not finish their course, and some of them go to England.

182. Judge FLANAGAN.—I see by the University Calendar for 1877, that the number of students who got testimonials during the Academic year 1875-6 was twenty-one. Does this represent the average number of those who complete their Divinity course in each year?—That year does not represent the actual number of those who go into the church each year. It is very small compared with what it used to be. Formerly there were 100; they dropped down to fifty, and then to thirty. The testimonium is given to those who have attended two years' lectures, and have passed an examination. There is a society of seniors and a pressure to get them. It has certainly happened that when men have been in the school one year they have been ordained, and thus a number of men in the school leave without finishing the course. In the normal state of things many divinity students never get the testimonium; and when I speak of the number in the class before disestablishment that includes all the scholars who were bound to attend the lectures. But that obligation has been lately removed.

183. The scholars are not now bound to attend the Divinity School?—No. Before the disestablishment of the Church, the bishops generally refused to ordain men without a testimonium, but it has been found practically impossible to continue to do so.

184. Lord RETRONE.—I gather from the paper

which the Divinity School Committee sent in, and also from your own letter, that neither they nor you wish for an entire separation of the Divinity School from the College?—We are as anxious as we possibly can be that every student in the Divinity School should receive secular instruction in Trinity College.

185. Would you be unwilling to admit students who do not belong to Trinity College?—A certain amount of previous secular instruction is already necessary. For instance, our lectures would not be intelligible to any man who had not a knowledge of classical and some knowledge of metaphysics. It is, of course, immaterial where that knowledge is acquired provided he has it. But he must have it, or he is not fit to attend the Divinity School.

186. Suppose the commission kept up. I infer from your pamphlet that you would prefer a joint government between the College and the General Synod and the bishops?—If your lordship refers to my letter to Mr. Stack I have to observe that it was written at a time when there was no prospect of any commission being appointed, and in reference to what was conceived would have been done by a Queen's letter, without an Act of Parliament; and, consequently, the plan suggested in that letter is not what I now recommend as the best. Under the agreement as to the occupation of the lecture-rooms, the Divinity School would be in subordination to the College authorities; but I would not wish to give any authority to the College, or to any Board including persons not members of the Church, as to the choice of the subjects of the professors' lectures or the appointment of the professors. As to the choice of subjects for theological instruction, it is evident one religious denomination would not submit to the control of another. As to the appointment of professors, even if made by a College Council consisting exclusively of members of the Church, a question might arise in future as to whether the appointment should be made in the interests of the school or the members of Trinity College. The appointments in the school were formerly given to fellows, as they were compelled to take orders, and were bound to work in the Divinity School, no matter what their qualifications might be. I was appointed a lecturer immediately after I was ordained. It was supposed that a fellow by the fact of his having obtained his fellowship was qualified to be ordained, and the bishops were willing to recognize that idea, and gave ordination to fellows without any examination. I do not say the system worked badly, for there were among the teachers a number of very able men; but that induced the idea that in future the appointments in the Divinity School should be given with the view of making a place for a fellow no matter what his qualifications were. I don't think that would work well for the Church. I think that every professorship should be capable of being legally held by anyone as well as by a fellow. Not one of the fellows appointed since 1864 has taken orders. None of them can, therefore, complain of the restriction of the choice of professors to fellows being removed. Formerly when they were compelled to take holy orders it was fair that they should have the first claim to appointments in the Divinity School; but now I think that such a restriction should be removed. I would like to explain. There is nothing that I would desire more than to have the appointment in the present Board of Trinity College. The present men on it are men who I have every confidence would make every such appointment solely for the interest of the Church, but I should object to give the appointment to the Board as such.

187. The Divinity School has two ends in view, one to prepare students to be qualified as clergymen, the other to confer theological degrees. The third of the resolutions of the 3rd of November, 1874, which is mentioned in their statement to us, is:—  
"That, in doing the qualification for a theological degree the Board are willing to accept the certificate of any of the theological schools so placed in connexion with Trinity College, as a sufficient testimonial of the candidate's theological acquirements."

That infers that there may be other theological schools. Speaking as a member of the College would not be willing to accept the certificate of a professor if he was not a member and graduate of Trinity College!—This passage infers theological schools connected with different denominations. At present your lordship is aware the College has a right to confer Divinity degrees, and it is certainly right that as a university it should not give up its privilege, and thus abandon an important department of study. There are two ways in which Divinity degrees may be given. One idea is to have professors who would only look to the learning of the candidates respectively of his theological opinions, and should not look as fastidiously in conferring a certificate for a Divinity degree to his orthodoxy as well as his learning. The idea of many is to maintain that plan and confer degrees, no matter what the religious opinions of the candidate may be. The other plan is to have different professors connected with different theological denominations, and that the College in giving Divinity degrees should accept the certificate of any of the professors where it is recognised. I confess that I was for a while inclined to the first plan, that the professor should only look to the learning of the candidate, and accept him though he might hold opinions different from his own, but the more I have thought of it the more convinced I have become that the plan could not work well in Ireland where people feel so strongly as they do about religious matters. And if people ever came to feel so strongly they will not be desirous to get Divinity degrees. Either the professor must belong to some one religion, and then members of other religious denominations might complain that they were subjected to an inequality; or he would have no religious views of his own, and then he would be a person whose nobody would have confidence in. It seems to me, therefore, that the only satisfactory plan is that which the Board proposes—viz., of permitting that professors in connection with different religious denominations should be recognised, and their certificates taken as qualifying for Divinity degrees.

188. Would you like a plan by which the College would be bound to recognise any person who produced the certificate of a professor even if he was not a member of the College?—I think he ought to be a member of the College.

189. I put this question to you more as a Fellow than as Professor of Divinity. Suppose an endowment were given to Roman Catholics for instruction in Divinity, and their holy required of the College that their Professor should be recognised as qualified to give a certificate, ought the College to allow it?—As a general rule I should prefer that their Professor should be a graduate; but I don't think that under the circumstances of the case, the College ought to insist on such a restriction.

190. On the whole I may take you as saying that it should not be obligatory that the Professors should be graduates of Trinity College?—If you ask me my own opinion I would say that as a general rule they ought to be graduates of the College. I would give power to the Board to object to any man who was not. I think that such a power to object would be highly desirable, but I would not make it a rule to exclude a man who was not a graduate. If the Roman Catholics should wish to have Degrees and a Divinity Professor, they would probably not find a graduate whom they would like to choose as professor.

191. As I understand the plan in your pamphlet, you suggested that the members of the council which you propose, should be appointed by the Board, by the teachers in the Divinity school, by the Bishops, and by the General Synod of the Church. Do I understand you to say, that with the altered circumstances effected by the issuing of the Commission, and the very great changes which are likely to take place, you do not press your former scheme?—What I mean to say is this, if you ask my private opinion, I say that I think such a council as I have suggested, would

work admirably well, but when once the Commission was issued I withdrew my proposal as I did not wish to create any difficulty.

192. Mr. GLENNON.—You feel, no doubt, that the two great objects of your proposal would be fairly and adequately secured by such a council?—I think they would.

193. Judge LASCARIS.—I understood you to say that the Board of Trinity College should have a veto in the appointment of the different professors—might not the Board hereafter consist of persons adverse to the interests of the Church?—Yes.

194. Would you concede that veto to the appointment of the professors?—I do not think that the time will ever come when the Board will be adverse to the interests of the Church. Recollect that I am speaking of professors whose certificates would be recognised as giving qualification for a degree. If a sum of money was handed over to the Divinity school for the purpose of theological instruction, I should not allow the Board to have the selection of the persons who are to give instruction; but, when the question is as to a certificate giving a qualification for a degree, the Board should have a right to object to receive the certificate of a professor who was not a graduate. The College would look to the professor.

195. Just as the College looks to you, and you to the lecturers?—Just so.

196. Judge FLANNAGAN.—In reference to the separation of the Divinity school from Trinity College, do I understand rightly that your objection is that is, that otherwise you would not secure sufficient secular education for the Divinity students?—Yes.

197. Could not that be done as well by an examination by the Professors of the Divinity school. Why should students of the Queen's College not be admitted to the Divinity school as well as students from Trinity College?—In the first place I do not believe in examinations pure and simple. I believe more in lectures than examinations. I think there is a greater certainty of instruction from lectures than from examinations. In the next place, we have men attending the lectures in Divinity, and it is a great convenience that at the same time they are able to attend the lectures in Trinity College on secular subjects. If instruction in secular subjects were to be provided for the Divinity school it would be a very heavy draw on the funds of the College. In Maynooth the College was compensated for instruction in secular subjects. No claim on this score has been made on Trinity College, because it was contemplated that the students in the Divinity school would have a right to attend lectures on secular subjects.

198. If the Divinity school was separated from Trinity College, would that prevent its students from going through the ordinary course in Trinity College?—No, but as things are at present for the same payment they can do both.

199. I believe the Divinity students do not commence their course until the senior sophister year?—That was lately altered; they commence now in the junior sophister year.

200. But any student may attend the Divinity school who chooses without payment of a special fee?—Yes.

201. Ordinary students, pensioners without any other position, are entitled to attend the Divinity School?—Yes.

202. It is only in the year after the senior sophister year that they have to pay extra for attending the Divinity School?—Yes.

203. And then only a small sum—£7 or £8?—Yes.

204. Suppose the funds now appropriated to the institution of the Divinity School were to be transferred, would there be any additional expense on students who are members of Trinity College?—I think what ought to be done is this—In the event of a transfer of the funds from Trinity College, a condition should be made that the students of Trinity College should

See 2, p. 27.  
Dr. Salmon,  
Archdeacon  
Strahan, and  
Mr. Edlington.



Nov. 5, 1897.

Dr. Salmon,  
Archdeacon  
Simsen, and  
Mr. Pilkington.

be entitled to attend the Divinity lectures as before. Other persons who are divinity students should be charged.

205. That would not be for the purpose of their having secular instruction, but merely because the fund was originally intended to work for the benefit of Trinity College and not for the benefit of the Divinity Students?—Yes.

206. In reference to degree examinations is there at present a serious examination for Divinity Degrees or is the production of a testimonial by the student sufficient to enable him to obtain the first degree—or the production of the degree of B.A. for the degree of M.A. ?—That is a thing we have made a change in. In former times the exercises for a Divinity Degree were merely formal. But six or seven years ago the Board made a change. The University of Cambridge introduced a serious examination as a qualification for a Divinity Degree, and we followed the example and the test for a Divinity Degree became a severe one. The consequence of working that out has been exceedingly good. Candidates now present themselves for a degree in a way they did not come before. The last class of young men have presented themselves for two or three years as candidates for Divinity Degrees; and I expect a very good result from the change.

207. So that in future Divinity Degrees will not be as they were, merely formal?—They will imply that a man who gets them has more knowledge than a clergyman ordinarily has.

208. Orthodox knowledge in connexion with the Church of Ireland?—Yes.

209. So far as consistent with recent legislation?—That is to provide for religious equality, and with that view we should confer them in one or other of the two ways, which I have already mentioned. I think it is not creditable for a university to alienate an extensive field of study.

210. Mr. MULHOLLAND.—When you say that you do not press your suggestion of a joint board you mean that you accept the alternative of the management being vested in the Irish Church?—Yes.

211. Did you say that you thought the entire advantage arising from a partial connexion with the College would be for the College and not the school?—What I said was that I would give students of Trinity College a right to attend the lectures of the Divinity School.

212. That would be for the benefit of the College and not of the school?—If Trinity College give the money they spend on the Divinity School they have a right to claim that their students should not be put to greater expense.

213. Would not the use of the buildings be a great advantage to the Divinity School?—It certainly would. The want of them would put us not only to great expense, but make it almost impossible to carry on the work. To get buildings now in town could not be done without enormous expense. We should be obliged to go to the suburbs. At present the lectures are dovetailed into each other. There are ordinary lectures for instance from ten to eleven, and theological lectures from eleven to twelve. Such an arrangement could not be carried out if the place of the two lectures were distant a mile or two from each other.

214. I believe that in the alterations which have been recently made with regard to the Divinity Degrees, the time has been shortened considerably?—It has. The reason why it was shortened was on account of the introduction of an examination; you can get young men to attend, but you cannot get elderly men.

215. Judge LAWRENCE.—The time of actual instruction has not been shortened?—No.

216. Lord BARNARD.—If Archdeacon Simsen or Mr. Pilkington wish to make any further suggestions we shall be glad to hear them.

Mr. Pilkington.—When the Secretary of the Commission invited us to attend, we did not know the course the Commissioners would pursue, and I was

prepared to go through the statements to show to what extent they conflicted with our claims. But the course pursued has been so satisfactory, and the Commissioners have shown so much knowledge of these statements, that I do not think it necessary to go through them. I will only add that we shall be at all times most anxious to furnish the Commissioners with any information they may require.

217. Do the other statements conflict with yours?—The statement of the Provost and the Board does not, but that of three of the Senior and six of the Junior Fellows does.

218. In respect of the suggestion that the Divinity School should continue under the exclusive control of the College?—Emphatically.

219. Does that conflict with the statement which you sent in?—It does. It claims that the control of the Divinity School should be continued in the College. We ask that the Divinity School should not be altogether under the control of the College.

220. Mr. GALLAGHER.—I suppose this is the passage in the statement which you refer to:—

"It may be said that the government of the College may in future years be vested in a body some of whose members may not be of the religious views of the Irish Church. This will be a distinct contingency, and it may be easily met by a Royal Statute, which will enact that, in cases where any question connected with the Divinity School shall come before the board, the place of any senior fellow who is not a member of the Church, shall *pro hoc vice*, be taken by the next junior fellow, in the order of seniority, who is a churchman."

Mr. Pilkington.—The statement of the three Senior and six Junior Fellows commences by submitting reasons, which in their opinion render it inadvisable that the School of Divinity should be severed from its present connexion with the College, and that is in reference to our statement which suggests a certain amount of severance. I do not mean to advocate a severance as to the residence of the students in the College, but a severance so far as not allowing the management and control of the Divinity School to continue exclusively in the College.

Lord BARNARD.—My own impression is that they are pointing to Dr. Salmon's plan.

Dr. Salmon.—The Government would not be anything like a mixed body if it is to remain in the college.

Mr. Pilkington.—As to the passage read by Mr. Gallagher, "It may be said that the Government of the College may in future years be vested in a body some of whose members may not be of the religious views of the Irish Church," you have examined on that point and I do not think it necessary to make any further observation. As to the last passage: "We wish to add that we have no reason to believe that the separation of the Divinity School from Trinity College has been called for by any considerable number either of the clergy or of the laity in the Irish Church, or that it would be generally approved of," if it is meant by that statement that a total severance was not approved of, in that sense it is true. But if it is meant to apply to a severance such as we seek, viz.: the transfer of the management and control of the Divinity School to a Committee of the Church, not an actual severance from Trinity College, it is not correct. We desire that the students should get secular instruction and instruction in Divinity within its walls, as proposed by the Provost and Senior Fellows of Trinity College. I can only say that that proposal was accepted by the Synod unanimously, when it was communicated to that body, and in consequence of that the committee which we represent was appointed for the purpose of communicating with the Board.

221. Judge FARRAGHER.—You say, Mr. Pilkington, that you are anxious that the connexion of the Divinity School with Trinity College should be preserved. Is that for this reason—because of the facility of using the courses, or is it by reason of the peculiar course of instruction given to students in Trinity College?

Mr. PILLINGTON.—I do not think the first reason would influence me. I believe that it is essential to the education of the future clergymen of the Church of Ireland that they should be educated in the company of secular students. I think an exclusive education would be most objectionable.

222. I believe that Ethics and Moral Philosophy are taught in the Divinity School, and they are important branches of a clergyman's education. Is there anything to prevent that course of study being altered?—I do not know that there is, but I am certain that if it was altered it would be supplemented if we had the control of the School.

Dr. SALMON.—Even if the Board of Trinity College were all of religious opinions different from the Church of Ireland and presented in the ordinary course books which conflicted with our teaching, we should still wish our clergymen to be taught everything that is considered good for laymen to learn. We should, of course, try independent means to correct what we thought erroneous or defective in such teaching.

223. In the former University Commission there was a proposition which was strongly objected to by the Board of Trinity College, that graduates of the Queen's University should be admitted at once into the Divinity School without having gone through a course in Arts in Trinity College? I think Trinity College can only claim that we shall admit their students to the Divinity School free of charge; but we ought to be permitted, if we pleased, to allow other persons who paid us fees to attend the lectures of the Divinity School and get a testimonials with regard to that. We would object that Trinity College should make a rule prohibiting us from taking students of the Queen's College.

224. Mr. GALBRAITH.—Do you not think that there is a general desire that there should not be a severance of the Divinity School from the College. I will read in connection with the passage which I have already referred to the following passage from the letter of Doctor Salmon:—"I believe that one of the reasons of the failure of the attempts that have been made to arrange an immediate separation between the Divinity School and Trinity College is, that nobody really wishes for such a separation." Is it not plain that there is a manifest desire that the connection should not be severed?

Mr. PILLINGTON.—There is a manifest desire that there should be no actual severance, but there is a very great desire that the Divinity School from which our clergy shall be hereafter taken shall not be under the control of a purely secular body.

225. JUDGE FLANAGAN.—That would be an imperium in imperio; professors in connection with Trinity College, but independent of it.

Mr. PILLINGTON.—The proposition of the Board is that the school should be entirely under college discipline, but that the appointment of the professors should be vested in us.

Dr. SALMON.—The only power in the government of the school that the Board would lose would be the appointment of the course of study. And, practically, at present the Board does not interfere in the matter, but leaves the choice of text-books to the professors. So that practically under the system proposed things would be exactly as they are.

226. Mr. MELHOLLAND.—Was the Divinity School regulated by statute or by Royal letter?

Dr. SALMON.—The professors were established by Royal letter.

Mr. PILLINGTON.—The letter of 1st George III. a. 1, recites the Royal letter of the 26 Car. II. by which provision was made for the Professor of Divinity. The 1st George III. a. 1, establishes the Regius Professorship, and contains the statement that instruction in divinity, especially of those intended for Holy Orders, was one of the objects of the foundation.

227. Mr. GALBRAITH.—On what passage in it do you rely?—I find in it this passage:—"Cum vero

periculum referat, at juventutis academia, illi presentis rei sacris orationibus destinatio, in sacris literis, at religiosis Christianis doctrinis, diligenter eruditur, in quibus principis fuerit fundatum facti hoc collegium."

228. Mr. MELHOLLAND.—Is there any condition annexed to the grant of the advowson or any obligation on the College to maintain a Divinity School? The Divinity School appears to have been established from the earliest period of the foundation so far as having Professors of Divinity who taught Divinity. The statute 26 Car. II. imposed the obligation of maintaining a Divinity Professor as did the statute 1 Geo. III.

229. Mr. GALBRAITH.—Is it not the fact that at the period of the foundation of the College, when no religion was recognised but one, a religious education was enforced on all the students, and that the charter of Elizabeth states that the object of the foundation was "*Pro eo causi, quam de juventute regni nostri Hibernici pie at liberaliter instituenda singularem habemus*?"

Dr. SALMON.—I believe all the students were instructed in Divinity. It is on the failure of a legal obligation on the College to maintain a Divinity School that our chief relies. If the Board are legally bound to go on spending the money on the Divinity School in our sense we need not care. We can compel them to continue it, and the Church will have the benefit of it. But on the failure of a legal obligation we rest on our moral claim to compensation. We point to the passage in the Royal letter establishing the Regius Professorship to show that, as a matter of fact, theological education was then believed by everyone to have been one of the main objects of the foundation of the College—"In quibus principis fuerit fundatum facti hoc collegium." We have evidence that for 150 years no one has had a doubt. We have evidence as strong as can be desired that that was the general opinion, and in fact the true opinion. I am not a lawyer, and I cannot say what constitutes a legal obligation, but it seems to me that there is a high moral claim on the part of the Church.

230. Lord BELMONT.—The only machinery provided for the divinity school would seem to have been the appointment of the Regius Professor?

As long as there were Fellows in the College bound to take Holy Orders they were bound to teach in it; it was a part of their work.

231. From the information we have received from the Board it would appear that the creation of the Professor of Divinity is lost in antiquity?—The royal letter of Charles the Second states that "there hath been for these many years and still is a Professor of Divinity in that our University and College of the Holy and Undivided Trinity near Dublin." So far as I can see that was the only machinery for instruction which existed for many years, until the appointment of Archbishop King's Lecturer in 1718. The first appointment of an Assistant Divinity Lecturer was in 1783. Then came the Royal Letter of 1st George III. by which every student was obliged to receive instruction in Divinity.

Mr. PILLINGTON.—I find that Luke Chalmers was the first Divinity Lecturer. I cannot give the date of his appointment. In 1607 James Usher succeeded him.

Mr. GALBRAITH.—It is so stated in the statement of some of the Fellows.

232. Lord BELMONT.—The first connexion between the Church of Ireland and the Divinity School was in 1790?

Dr. SALMON.—The Bishops then made a rule that they would not ordain any Graduate of Trinity College who had not attended one course of lectures by the Assistant Divinity Lecturer, by the Divinity Lecturer, and by the Regius Professor of Divinity respectively.

233. I find this passage in the statement of "Some of the Fellows," (p. 2.)

"It appears by the College Registry, October 22, 1718, E 2

Nov. 8, 1877.

Dr. Salmon,  
Archdeacon  
Down, and  
Mr. Pillington.

Nov. 8, 1877.  
Dr. Salmons,  
Archbishop  
Down, and  
Mr. Pilkington.

that Archbishop King gave £500, (afterwards in 1729 increased to £1,000), to found a Divinity Lecturer for the instruction of Bachelor of Arts. There does not appear to have been any special school for the education of the clergy of that time?

There were Divinity Lectures in Trinity College from the earliest time. The only thing new in 1790 was that it was made essential to a candidate for ordination that he should have attended their lectures.

234. Mr. GALBRAITH.—What we want to ascertain is whether the original design of Divinity teaching was for the instruction of the "junior academics,"

and whether it was not until 1790 that what we would call a Divinity School was established. "Cum vero per saecula regeret in junioribus academicis illi praesentia qui sacris ordinibus destinatus" would seem to support that view. That statement "in quibus praesentia fuisse funebantur fuit hoc collegium" was made in 1760.

235 These words refer to the first part of the sentence "junioribus academicis" as well as to the words which follow—"illi praesentia qui sacris ordinibus destinatus." What was done in 1790 was not for the foundation of a new school, but for the improvement of an existing one.

Nov. 8, 1877.

MONDAY, NOVEMBER 5, 1877.

Present:—Right Hon. the EARL of BELMONT, K.C.H.G., in the Chair; Right Hon. MOUNTFORT LONGFIELD, LL.D.; Right Hon. S. W. FLANAGAN; A. M. POSTER, Esq., Q.C.; Rev. J. A. GALBRAITH, F.R.C.D.; JOHN MULHOLLAND, Esq., M.P., D.D.

Rev. T. T. Gray, M.A., F.R.C.D., and Rev. J. P. Mahaffy, M.A., F.R.C.D.

The Rev. THOMAS T. GRAY, M.A., F.R.C.D., and the Rev. JOHN P. MAHAFFY, M.A., F.R.C.D., presented themselves before the Commissioners in support of the statement of the claim of certain of the Fellows of Trinity College in Holy Orders for compensation for the loss of their right of succession to the livings formerly in the gift of Trinity College.

236. Lord BELMONT.—I believe you wish to make some remarks to the Commissioners with regard to the right of the Fellows in Holy Orders to succession to the livings which formerly belonged to Trinity College?

Mr. Mahaffy.—Yes, my lord. We propose to take the several subjects in the order mentioned in our statement—First, as to the right of succession to the livings; secondly, as to the Divinity School, and thirdly, as to the stagnation question.

Mr. Gray.—We submit that the clerical Fellows had a right of succession to the livings formerly in the gift of the College, which has been taken away by the Church Act. The number of Fellows who were presented to those livings, not only junior Fellows but senior Fellows, of Trinity College, appears in the College Calendar. Now, in reference to the claim which we put forward in this document, Dr. Stukely, Mr. Mahaffy, and I, on the 21st of December, 1871, made an application to the Commissioners of Church Temporalities under sec. 45 of the Irish Church Act, 1862. The case was argued before Mr. Justice Lawson and Lord Monck, on the 1st of February, 1872, by Mr. Pilkington. Nothing was done in it then, and judgment was reserved. In May, 1873, we received a letter from the secretary of the Commissioners, stating that they wished to hear the case re-argued before the Master of the Rolls, Judge Lawson, and Lord Monck. On the 3rd of June, 1873, the case was accordingly re-argued, but judgment was not delivered until the 26th of December, 1873—two years after we made the application to the Commissioners. In the meantime, the Board of Trinity College had sent in an application to the Commissioners of Church Temporalities claiming compensation for the loss of the College Advowsons, under the 18th section of the Irish Church Act. Their application was accepted to, and payment of the compensation awarded to them was made between the dates which I have mentioned of our application and the final refusal of it by the Church Commissioners. When our case was first argued before Lord Monck and Judge Lawson, Mr. Pilkington appeared for us and pressed two points on the Commissioners—our right of succession to the suppressed benefices, and that we were Ecclesiastical persons within the meaning of the 46th section of the Irish Church Act. It was then admitted by Judge Lawson that we were ecclesiastical persons within the meaning of the Act, but he seemed to think that we had not a right of suc-

cession to the suppressed benefices. Afterwards, however, when the case was re-argued, he said the Master of the Rolls and Lord Monck disallowed the claims of the Fellows on the grounds that the Fellows were not ecclesiastical persons within the meaning of the Act, and that the right of succession provided by the 46th section was a right incident to an ecclesiastical status. But they were clearly of opinion that the Fellows had proved a right of succession. The Master of the Rolls says (p. 3):—

"Under ancient patents or grants from the Crown, the Corporation of Trinity College was, at the passing of the Irish Church Act in 1869, the owner of a considerable number of advowsons, the next presentation in each of which, upon avoidance, would be tendered to the Fellows of the College in rotation according to seniority, in conformity with a usage of such ancient standing, and such uniform observance, that we may take it to have the force of law."

And in p. 4 the Master of the Rolls again says—

"We are disposed to think that this right, though on somewhat difficult of estimation, is a right of succession within the true meaning of that term; and therefore the question is, whether the Irish Church Act has given the right of claiming compensation for the loss thereof."

Again, in p. 16—

"The Act of Parliament, by its 18th section, gives to the Corporation half the fullest measure of compensation for the entire advowson, which, of course, covers the very next presentation, to the right of succession to which compensation is claimed by individual members of the Corporation. It seems to me that the Fellows of Trinity College, though in Holy Orders, are not entitled to claim compensation under the Act; in other words, that the claim for compensation by the individual members of the Corporation cannot be made good against the property vested in the Church Commissioners, but is, if it at all exists, a matter of adjustment between them and the Corporation itself. But it would appear more just and equitable that where the entire advowson vested in the Corporation is compensated for by payment in full to the Corporation, a right to a next presentation vested in a member of that Corporation, should be adjusted by the Corporation out of the fund it has got for compensation, rather than that the same thing should be doubly paid for, an instance which is most difficult to impute to the Legislature."

In p. 18:—

"The application of the rule in the present instance works no mischief. The Corporation of Trinity College have got compensation for a subject-matter which include

the very thing upon which the appellants, members of the Corporation, and claiming as such, have based their rights, and it does not impugn to the Legislature the moral intention of awarding double compensation for the same thing."

Mr. Justice LUTHERON says, p. 16:—

"The status of Trinity College and its Fellows is not affected by the provisions of the Church Act; but the College, like any other person, loses its advantages, and has been compensated for the loss, and the individual members of the Corporation, who have subordinate rights against the Corporation, must assert them against the sum paid to the Corporation in respect of those advantages. I am very far from saying that the Fellows have not such a right. I only decide that they have then not against the Commissioners, for that would be to make them pay for the same thing twice."

It would appear from the passages of their judgments which I have read that the Master of the Rolls and the Commissioners of Church Temporalities agreed that we had established a right of succession to those suppressed benefices. In support of this claim to a right of succession, we would refer more particularly to the Statute of Chelmsley, 5 Edw. III., from which we have quoted a sentence in our statement.

337 Lord BELSHAM.—The Statute of Chelmsley was passed in 1284—In 1311. By that statute, if a Fellow married he should, within three calendar months, serve notice declaring that he was married, and a Fellow so giving such notice should continue to be a Fellow, and enjoy all the rights, privileges, and emoluments of his Fellowship during one year from the time of his marriage, and, in particular, his right to be co-opted to the Board, and of being nominated to a living.

338. Suppose a Fellow married before 1311, and did not give notice of his marriage, had the Fellows junior to him any power to call attention to the fact that he was married?—It would appear that they either had not, or had not acted on it, because that is the ground assigned for passing the statute. But my object in referring to this statute is to show that the right of the Fellows to succession to the livings is admitted in the clause which gives a Fellow who has served notice that he is married one year's emoluments of his Fellowship. The preamble of the statute recites—

"Whereas, it hath been reported to us that an opinion had many years prevailed in our said College, that the said recited clause in the said statute (13 Car. I. c. 7) did not give force, on the marriage of a Fellow of the said College, to his Fellowship in the said College, but that it was lawful for such Fellow, notwithstanding his marriage, to continue to hold his Fellowship in the said College, until the fact of his said marriage should be made known to the Provost and Senior Fellows of the said College, or to the visitors thereof, and proved before them, and until such Fellow shall be removed from his said Fellowship by such issue by the order or sentence of the Provost and the major part of the Senior Fellows of the said College, or the Visitors thereof; and whereas it hath also been reported to us that many persons who have formerly been Fellows of the said College, but have long since left it, have in consequence of such opinion married during the time in which they were Fellows of the said College, and nevertheless continued for several years after their respective marriages to hold and enjoy their Fellowships in our said College, no proceedings having been taken for removing them from their said Fellowships, either by or before the Provost and Senior Fellows or by or before the Visitors of our said College; and whereas the true sense of the said recited clause, and the intention thereof was that no Fellow of the College should continue to hold his Fellowship after his marriage, but that his Fellowship should upon his marriage become *ipso facto* vacant. Therefore know ye that we do hereby declare that the true intent and meaning of the said clause, in the said statute heretofore recited, was, and that hereafter the same shall be deemed, taken, and construed to be, that no Fellow of the said College should continue to hold his Fellowship in the said College after his marriage, but that his Fellowship should, upon his marriage, become *ipso facto* vacant; and we hereby declare our will to be, that from and after the passing of these presents with the great seal of that part of our United Kingdom called Ireland, and the proclamation thereof within the said College, in a manner hereinafter

mentioned, if any Fellow of our said College shall marry (save in the case hereinafter mentioned), his Fellowship in the said College shall become *ipso facto* vacant upon such marriage. Provided always, and our will and pleasure is, that any Fellow of our said College shall, within three calendar months after he shall have married, by notice in writing signed by such Fellow, and delivered to the Provost, or, in case of his absence or the vacancy of his office, to the Vice-Provost of the said College, declare that he is married, and the true day his marriage shall have taken place, (of which said notice the Provost, or, in his absence, the Vice-Provost shall, within one week after the same shall have been delivered, cause an entry to be made in the registry book of the said College), then and in all such cases, such Fellow, so giving such notice, shall and may continue to be a Fellow of the said College, and enjoy all the rights, privileges, and emoluments of his Fellowship thereof, for and during the term of one whole year from the day on which such marriage shall have taken place, and no longer; and shall and may during such year be eligible (if otherwise under the statutes of the said College entitled to the same), of being co-opted into the place of Senior Fellow of the said College, in like manner as if he had remained unmarried; but if he shall be so co-opted, he shall hold such Senior Fellowship no longer than the expiration of one year from the day of his marriage as aforesaid; and our will and pleasure further is, that during such year, such Fellow so marrying, and giving such notice as aforesaid, shall be entitled to such choice or option of endowments hereafter in the gift of the Provost, Fellows, and Scholars of the said College, as he would have been during such year entitled to have had if he had remained unmarried."

The clause I lay stress on is, the declaration that during that one year the Fellow who had married would have been entitled to such choice or option of ecclesiastical benefices in the gift of the College as he would have been entitled to have had if he had remained unmarried. That was an admission of the right of the Fellows to any benefice which might become vacant. The statute left no alternative to the Board. On this point I may mention a case with regard to myself. In 1803 the Rev. W. Adams held Tullyvagh, which was worth £1,140 2s. 8d. a year. He was made Dean of Ferns, and the living thus becoming vacant was offered to the Fellows according to the usual course. All the clerical Fellows attended at the Board-room. The Provost said he would not take it, and he offered it to the Vice-Provost, and the Vice-Provost having refused it, the Provost went down all the clerical Fellows in order of seniority. The living was refused by all until it came to Mr. Leslie. The last three were Mr. Leslie, Mr. Ferns, and myself. Mr. Leslie accepted the living, and was accordingly, under the statutes, bound to resign his Fellowship within a year. He afterwards changed his mind, and applied to the Board for leave to get a Queen's Letter to allow him to withdraw his resignation, and resume his place among the Fellows. I was the only person concerned. I considered that the living would come to me, as I was told by members of the Board that if Mr. Leslie got the Queen's Letter the vacancy would be looked upon as not a new one, but as the same vacancy. Delays occurred. The Vice-Provost told me that the living would be offered down the body of Fellows, commencing where they had left off on the former occasion. As Mr. Ferns would not have it, I looked upon it as nearly certain that I would get the living. Delays occurred in procuring the Queen's Letter, and it became necessary, to prevent the right of presentation lapsing to the Bishop of the diocese, that Mr. Leslie should be formally instituted and inducted, which was done. This was in July, at the beginning of the long vacation. When we returned to College in October, notice was given that the living would be offered down the body of Fellows, as it was considered a new vacancy. I memorialized the Board, and represented to them that it was hard on me, as Mr. Leslie, by changing his mind, had deprived me of a step among the Tutors, which was a very valuable step to me, as I was the Junior Tutor at the time. I memorialized the Board, and received notice that my memorial had been received, but that it had been determined to follow the old rule,

Nov. 2, 1807.

Rev. T. T. Gey, M.A.,  
Rector, and  
Rev. J. P. Mahaffy, M.A.,  
F.R.S.

Nov. 4, 1877.  
 Rev. T. F.  
 Gwyn, M.A.,  
 Sec. of the  
 Rev. J. R.  
 Mahony, M.A.,  
 DUBLIN.

and commence at the top of the body of Fellows. I may state that the Board, as a body, were sorry to find the position that I had been placed in, and the injury that had been done to me; but Dr. Carson showed them the Statute, and satisfied them that owing to the fact that Mr. Leslie had been instituted and inducted, it was a new vacancy, and that they could not break the Statute. When the living was again offered from the top Dr. Gwyn accepted it, and thus I lost both the living and the stipend. As regards the being of the step, I should observe that there are three grades of Tutors—the junior grade, the middle grade, and the senior grade, and the proportion of their incomes is as 2-3-4. The income of a Junior Fellowship is only £36 18s 6d, and the rest of my income was my share of the Tutorial Fund as a Tutor of the junior grade. By Mr. Leslie coming back into his former place among the Tutors, he got into the middle grade two years and a half before me. He and Mr. Farrer got in together, or within a few days of each other, and during those two years and a half I was receiving a lower income. This made a difference to me of £405, which I lost from this particular clause of the Statute.

239. Mr. MURPHY.—In what year was that?—In 1843 Mr. Leslie got the living—and it was March, 1847, that Mr. Leslie and Mr. Farrer became tutors of the middle grade.

In our statement we quote the Letters Patent of the 13rd of March, 1763, 3 Geo. III., which authorized the College to purchase advowsons, and which contained the following recital:—

"Whereas the Provost, Fellows, and Scholars of the College of the Holy and Undivided Trinity of Queen Elizabeth, near Dublin, by their memorial presented to our right trusty and right well beloved council, &c., have humbly besought us to grant them our Royal licence to purchase in mortmain free advowsons, &c. And whereas our said Lieutenant-Governor and General Governor of our said Kingdom of Ireland having represented to us that the purchasing of such advowsons will cause a more frequent succession of Fellowships in the said College, and by that means tend very much to the encouragement of learning in our said Kingdom of Ireland, &c."

We must, of course, from that recital come to the conclusion that these advowsons were purchased for the express purpose of being given to the Fellows; and that recital also shows conclusively that this was the use which had always, up to that time (1763), been made of the eighteen livings then in the gift of the College. The recital that the Lord Lieutenant had represented that the purchasing of the advowsons would cause a more frequent succession of Fellowships, was something more than an inference, for the Letters Patent also contain a recital that a memorial had been presented by the Board to the Lord Lieutenant, and that memorial must have contained the reasons why the Board came to that conclusion. I have searched the Registry of the College for that memorial, and it is not given in the Registry, though the Letters Patent are. The memorial by which the Board applied for the Letters evidently contained the grounds on which the Lord Lieutenant represented to the Crown that the purchase of the advowsons would cause a more frequent succession of Fellowships in the College.

240. Lord BRIDGES.—Do you merely put that forward as a strong reason why the Letters Patent were granted, or do you want us to infer from it that the Letters Patent contained a trust?—That it contained a trust—at least it would go far to show that there was a custom of offering the livings to Fellows of the College in the order of their seniority.

In the questions put by the Commissioners to the Board in relation to the Advowson Fund is the following:—

"Query 3 (p. 3). Was it the custom to offer the benefices to each of the eleven Fellows in succession according to seniority? Was this custom invariable, or were there any exceptions to it? Answer.—It appears from the Registry of the College that the custom of offering benefices

to the Fellows in Priest's Orders in succession (with the exceptions hereafter mentioned), has prevailed at least as far back as the year 1763. The entries in the Registry previously to that year are merely of the fact of a presentation of a person to one of these benefices. On some occasions, a Fellow who accepted a living was allowed an option of taking a living subsequently becoming vacant, if declined by all the Fellows then of senior standing to him; and in a few cases an exchange of a living was allowed."

I went to the Registry to-day and looked at the particular ones which is said to have occurred first in 1760. The case was this. The living of Clonsilla, dock in Dungall, was vacant for a considerable time, awaiting the issue of a negotiation for an exchange in which Mr. Hall, one of the Junior Fellows, was engaged, the Bishop of Raphoe having given an assurance that he would in case of lapse give the living to the person whom the Board should propose to him. The negotiation failed, and at last on the 17th of December, 1760, the Provost offered the living to the Rev. William Hamilton, all the Fellows senior to Mr. Hamilton declining to accept it—precisely what would occur in the present day. Mr. Hamilton said that it would take £800 or £1,000 to have a Glebe House built, and if the Board would lend him £500 he would accept the living. The Board refused to lend the money, and Mr. Hamilton thereupon declined the living. The Provost then asked Mr. Elrington, Mr. Hamilton's immediate junior whether he (Mr. Elrington) would accept the living. He said "allow me an interview of a few moments with Mr. Hamilton." They retired, and when they returned, Mr. Hamilton said he would take the living. On the following day a paper was read to the Board by the Rev. J. Stack, who was junior to both Mr. Hamilton and Mr. Elrington, in which he stated that Mr. Hamilton's retraction of his refusal to accept the living might not be admitted, and upon this ground that such retraction was procured unconstitutionally by a pecuniary consideration offered to him on the part of some of his juniors without his (Mr. Stack's) consent, and therefore in violation of his right. This case would go to show that in 1760 the same right of succession was asserted by Mr. Stack as we assert now, viz., that there was a custom that every living should be offered down the body of Fellows according to seniority.

Now, as regards another point—in connection with the dealing of the Fellows with these livings, I may mention that there are two exceptions mentioned by the Board in their answer to query 3:—

"It appears from the Registry of the College, that the custom of offering benefices to the Fellows in Priest's Orders in succession (with the exceptions hereafter mentioned), has prevailed at least as far back as the year 1760. On some occasions a Fellow who accepted a living was allowed an option of taking a living subsequently becoming vacant, if declined by all the Fellows then of senior standing to him; and in a few cases an exchange of a living was allowed."

These two exceptions are option and exchange, but they are apparent exceptions and not real exceptions to the uniform exercise of the right of succession. The case of option is this—when a living is refused by all the Fellows of senior standing to him, a Fellow who had previously accepted a living with an option is offered it.

241. Do I understand you to say that he has a right to that offer before it is offered by the Board?—No. It is first offered by the Board to the Fellow senior to him, and then it is offered to the Fellow who has the option. For example, the living of Clonsilla was for some time held by the Rev. Mr. Willcock, an Ex-Fellow, and the way he got it was as follows:—Ballymorney, in the Diocese of Cork, had been offered to all the Fellows. It was one of the livings which the Archbishop had a right to appoint to on the nomination of the Board. At that time it was looked upon in the same light as a College living, and was treated in the same way. The living of Ballymorney having been offered to all the Fellows and refused, it was

then offered a second time down the Fellows, with an option, and came to Mr. Wilcock, who accepted it, and held it with an option until the living of Cleonish became vacant. Cleonish, when offered, came down to him, and he accepted it. He need not have exercised his right when Cleonish became vacant.

242. No Fellow who still continued such, who was junior to him, had a right to claim the living before him?—No. The first construction of all this is, that the case of option is not an exception to the general custom. On the contrary, it shows the uncontrolled power which the Fellows exercised over the livings as their own property. What they say is this, "We are anxious to get a man to take this living. If you take it we agree that you shall hold it with an option. We prefer to give up the living and get immediate provision, rather than let you stay on."

243. How long has the custom of option existed?—I cannot say.

244. Is there any case in which a Fellow junior to the man who has the right of option has attempted to assert his right of succession?—No. It is generally taken to be an honourable understanding between the Fellows not to do so.

245. Suppose the retiring Fellow waited for a number of years without exercising his right of option, would that understanding bind new Fellows who had come in since the Fellow had retired on the living?—As a general rule new Fellows abide by the rule of their predecessors.

246. Judge LONGFIELD.—I think the first case of option was the case of Mr. Phelan. He went out on a living with a promise of the next living from the College. He got the Board to obtain a written promise from the Fellows, that they would not accept the next living that became vacant. The point we want to establish is that the Fellows exercised uncontrolled power over these livings, and that they could not be offered to anyone else until all the Fellows had refused them. The Fellows had the entire disposal of them. There was no living held with an option at the date of the passing of the Church Act.

247. Suppose the case of one of the smaller livings. Supposing it passed all down the Fellows, would the Board be at liberty to present it to anybody who was not a Fellow?—It would be first offered to the Fellows by itself, and afterwards with an option, and if then refused, the Board, as the governing body of the College, might present it to any one they thought fit.

248. The present Rector of Enniskillen, the Rev. Samuel Greer, was never a Fellow?—No. There was an exchange between Dr. Robinson and the Hon. C. Maude. Mr. Greer was not a Fellow, nor was Dr. Maude, the present Bishop of Peterborough. The livings after being refused by the Fellows are generally given to distinguished graduates of the College. There is another case more in point still, relating to the living of Raymochy, the income of which is £2570 13s. That case occurred within my own time. Archbishop Goold was appointed to the living by Lord Eglinton on Dr. Singer being made a Bishop. Dr. Goold was not strong and he was never able to reside there, and he left the Rev. James Irwin, his curate, in charge of the living, and he gave him all the proceeds of the living. In 1868, Archbishop Goold proposed to resign on condition Mr. Irwin were appointed in his place. Accordingly, the Fellows agreed that if Archbishop Goold resigned none of them would accept the living. What subsequently occurred shows how jealous the Fellows were of any interference with the livings. One Thursday afternoon in June, immediately after Archbishop Goold's resignation had been received, notices were dropped into our letter-boxes, to tell us that the living would be offered to the Fellows on the following Saturday. We objected to that being done; though all had agreed not to accept the living, we would not allow the living to be given away on the Saturday; we would not allow such a precedent to be established against us. We did not wish to have a precedent in existence that a living

had been given away without sufficient notice. The practice had been not to fill up a vacancy in a living for three months after it occurred. There was a long discussion between the Board and the junior Fellows, but the latter stood on their rights. The Board even proposed to make an entry in the Register to prevent the case being made a precedent, but the junior Fellows said simply that they would not allow it, and the election stood over from June to October, when Mr. Irwin got the living. Many similar cases might be quoted, all going to prove that the Fellows in Holy Orders never allowed their right of choice or option of Ecclesiastical Benefices to be interfered with, and the Board have always recognised and acknowledged this right.

249. The other exception mentioned by the Board in the answer to query 3, is the case of exchange. When the Rev. John Young Rutledge exchanged the living of Derryvallen for Awaragh, he was obliged to obtain the consent of the Fellows. The case of an exchange therefore, though it would appear to be an exception, is not really one.

250. Lord BELSHIRE.—Was Mr. Verschoyle presented by the College?—He was, in that way.

251. I always understood that the Primate, before Awaragh was offered to Mr. Rutledge, got an undertaking from the Board that they would accept the nomination?—The meaning of that undertaking from the Board was this, that the Junior Fellows agreed that they would possess the living. The living was offered to the Fellows, in the first instance, and on their refusing to accept it, the Board appointed Mr. Verschoyle, which carried out the arrangement.

252. Do I understand you to say that Mr. Rutledge resigned Derryvallen so that it could be offered regularly to the entire body of the Fellows?—Yes. The only way to provide for Mr. Verschoyle was, before Mr. Rutledge resigned, to get an undertaking from the Fellows not to accept the living. In the case mentioned by Judge Longfield—that of Mr. Phelan in 1835—he wished to marry before he had secured a living, and he procured the signatures of all the Fellows in Holy Orders to an agreement that they would refuse the next vacant living and allow him to accept it. The same thing happened in the case of Archbishop Martin in 1839. He wished to get married, and he obtained a similar undertaking from all the Fellows. We submit that our position in respect to these livings is precisely similar to that of the Chancellor and Prebendaries of Christ Church, Dublin, in respect of the benefices named in the 46th section of the Irish Church Act, to whom the Irish Church Temporalities Commissioners as directed by the Act, awarded compensation. Again, the Chloimen of Christ Church Cathedral claimed compensation for the loss of their right of succession to the Vicars of the same cathedral under the 46th section of the Act. The case is reported in Bernard's Cases, pp. 143, 143, 144 of the edition of 1876. The Vicars and Chloimen constituted a Corporation which was created by a charter of Charles II. Lord Monck said, "A usage extending over a long period of time has been proved of filling up vacancies amongst the Vicars by election free amongst the Chloimen. It is plain that the existing Chloimen have, by the passing of the Irish Church Act, lost their right of succession, or at all events their chance of being elected to succeed to the Vicarages;" and, again (p. 144), "I am of opinion that these Chloimen are ecclesiastical persons, and that they had a right of succession to the Vicars;" and Judge Lawson, in expressing his concurrence in the decision, used the words, "the Vicar-Chloimships to which they (the Chloimen) had established their right to succeed." Accordingly, Lord Monck and Judge Lawson awarded compensation to them. In support of this view, we also beg to refer the Commissioners to the decision of the Arbitrators in the case of the Advowson of Drungoon, in the county of Cavan. The Arbitrators in the case were the present Lord Chief Justice of the Queen's Bench, on the part of the Irish Church Temporalities Commissioners; Dr. Anthony

Jan 5, 1877.

Rev. T. T. Grey, M.A., T. J. Allen, and Rev. J. P. Mahaffy, M.A., &c.

Nov. 3, 1877.

Rev. T. T.  
Gray, M.A.,  
F.R.C.S., &c.  
Rev. J. P.  
Mahaffy, M.A.,  
F.R.C.S.

TRELL, F.R.C.S., on the part of the claimant; and the Rev. Joseph A. Gallwey, F.R.C.S., as umpire. It will be seen, by the result of this arbitration, that a considerable sum was granted to the claimant for the loss of his right of presenting himself, in addition to the sum already awarded to him by the Church Temporalities Commissioners for his loss as Lay Patron of the Advowson merely. That is very much the view taken by the Commissioners in our case, in which Mr. Justice Lawson says (p. 13):—

"Thus, if a clergyman is himself the owner of an Advowson, he may present himself as the next incumbent; but that is not a right of succession under the 46th section, but a matter to be considered in estimating the value under the 16th section. I have always held, and have disallowed such claims when presented under section 46."

The only further remark I have to make as to this question of the right of succession is this. There are only seven of us clerical Fellows who have signed the paper. But I am authorized by Dr. Longfield, who did not sign the statement because he is a member of the Board, and Mr. Townsend, who signed one of the other claims on the Advowson Fund, to say that they sympathize with us.

253. Do you attach importance to the circumstance that in 1860, when the Church was established, there were only eight livings held by ex-Fellows?—No.

Mr. Mahaffy.—The income of Tutor Fellows varies very much. During the Crismann year it fell one-third.

254. From what fund is the money derived which provides the special emoluments of the tutors? Does the fee; we get £36 3s. 8d. from the Fellowship itself. Our income is made up from fees from the students, fees for examining, &c.

255. Have you any income from the College on account of teaching?—A little; I cannot give you the exact details. Mr. Gray and I are on the same footing. Out of an income of £700, or £750, we get £500 from the fees from pupils, and £200 odd for lecturing, &c.

Mr. Gray.—Each student pays £16 a year. Out of that £8 goes to the College, which goes into the *elike* cessant, the remaining £8 goes to the tutors—£1 to the tutor of the particular student, and £7 is thrown into the fund divided between all the tutors according to their grades. There are nineteen tutors paid out of the Tutorial Fund, who are divided into three grades, and the fund is divided between them in the proportions of two, three, four.

256. Have any of the Fellows an extraordinary number of pupils?

Mr. Mahaffy.—Mr. Gray has a number. I suppose he has £300 a year from them. The accident of the prosperity of the College determines the income of the Fellows, and the value of the livings may not have been known, or might increase. The only living ever offered to me was Drumagh, the value of which at the time of the Disestablishment was £1,088 3s. I was told by Dr. Sydney Smith that the value was considerably less. If I had been aware that it was of that value I should have taken it. It was proved to me by documents that it was then not of the value of more than £750. There was an accidental building charge of £1,400 against the living. I had no ready money at the time to pay the £1,400. That would have cut down the annual income to about £650. So you may take it that the value of the living I refused was £250 per annum. It now appears that the value was £1,088 3s., the building charge having disappeared. I hesitated long before I refused it, and the inconvenience of paying the £1,400 was what deterred me.

257. Lord BALDWIN.—In some cases was not the salary of a curate deducted from the income of the benefice? Derryvalley is returned as only £889 3s. 11d. 1.—That was the case of a mortgage under the Church Act.

Judge LONGFIELD.—The curate's salary was deducted where it had been deducted from the clergyman or the purpose of taxation. Mr. Verschoyle would

have a right, on the death of the curate, to have an addition made to his salary equal to the curate's deduction.

Lord BALDWIN.—Supposing there had been no deduction for a curate, Derryvalley would have been worth £120 a year more.

Judge LONGFIELD.—There is a Blue-book which gives the compensation for every living, with a margin where there had been a deduction for a curate.

Mr. Gray.—In the case of Ardara and Cappagh in 1847 and 1849, most of the Fellows were frightened by the state of the country at the time. I speak from the ground talk in College on the subject.

258. Judge FLANAGAN.—Did many benefices become vacant after you were elected a Fellow?—I cannot say the exact number, but the College Calendar will give full information.

259. When were you elected a Fellow?—In 1862.

260. KILGASMAN was offered to you?—Yes.

261. In fact, all the livings which became vacant after 1862 were offered to the Fellows?—Yes.

262. Drumagh in 1867, Goodshocky in 1868, and Kilgassman in 1865?—Yes.

263. Baysnally followed in 1863?—Yes; but that was by arrangement with Archbishop Gould.

264. Then there was Derryvalley?—That was the case of exchange before alluded to.

265. Enniskeilly you refused?—Yes.

266. Ardara in 1864?—Yes.

267. Ardara in 1864?—Yes.

268. And in 1867?—Yes.

269. That would be nine?—Yes.

Mr. Mahaffy.—What we insist on is, that under altered circumstances some of us would have taken them.

270. Judge FLANAGAN.—Mr. Gray, I may assume, in relation to the other livings which did not become vacant, but which did not exceed in value the emoluments of your Fellowship, that you would have refused them also?

Mr. Gray.—In our application to the Church Commissioners we applied for compensation in the case of those livings only which exceeded in value the emoluments of our Fellowship. To put it on *pléner* grounds, I would limit the application to the first six livings.

271. In estimating the amount of compensation, would you take a different rate according to the order of seniority?—That would be a matter of calculation. Mr. Mahaffy is my only junior among the Clerical Fellows.

Mr. Mahaffy.—There is another element. Mr. Gray has a choice before me.

272. Mr. FORSTER.—Were the livings offered only to Clerical Fellows?

Mr. Gray.—Only to them. But it was considered that if a man was not actually in orders, but intended to take orders, the living would be held over for him.

273. Lord BALDWIN.—A man cannot hold a living before he is priested?—No, but I was ordained in July, and priested in the following September.

274. Mr. FORSTER.—Suppose a valuable living fell vacant, was there any mode by which a Fellow could get ordained?—Yes, but I do not remember a case of that kind.

275. Mr. FORSTER.—The Oath of the Oath statute was repealed in 1840?—Yes.

276. Do you think had it any effect upon the events of succession to Fellowships?—When the Oath statute was in force it was more likely that a Fellow would go out on a living.

277. I mean since that?—The livings go lower down.

278. Mr. McNEILL.—I think you said that it was in consequence of the Church Commissioners deciding that you were not ecclesiastical persons within the 46th section of the Church Act, that your application for compensation was decided against you?—Yes.

279. If you had been ecclesiastical persons you would have received compensation from the Commissioners from another source?—Yes.

249. And you would have got compensation from some other source?—From some source outside the Advowson Fund.

Mr. Moleghy.—The Commissioners said that they had compensated the College for both claims—both the right of presentation and the right of succession.

Mr. Gray.—The Master of the Rolls says in his judgment:—"The Act of Parliament by its 18th section, gives the Corporation itself the fullest measure of compensation for the entire Advowson—which of course, means the very next presentation—to the right of succession to which compensation is claimed by individual members of the Corporation. It seems to me that the Fellows of Trinity College, though in Holy Orders, are not entitled to claim compensation. A claim by the individual members of the Corporation cannot be made against the property of the Church Commissioners, but is, if it at all exists, a matter of adjustment between them and the Corporation itself." The real state of the case lies in this. The compensation is divided into two parts—compensation to the College for the loss of the Advowson, and compensation to the Fellows for the loss of the right of succession. The Master of the Rolls and Judge Lawson thought that they had paid the latter to the Corporation. They have not satisfied me that they did. I think they paid the College only as they paid Lord Downshire, or any other owner of Advowsons. The College should have been paid the value of the destroyed Benefice, including both the Advowson and the cure, deducting only the life interests of the men then holding them, but adding the value of the cure so long as any living member of the Corporation could hold it.

251. Mr. MULLHOLLAND.—In your paper, referring to the Drungoon case, you say "It will be seen by the result of this arbitration, that a considerable sum was granted to the claimant, for the loss of his right of presenting himself, in addition to the sum already awarded to him, by the Church Temporalities Commissioners for his loss, as Lay Patron of the Advowson merely."

Mr. Moleghy.—The Commissioners rated the value of the advowson of Drungoon at £3,000, but, on appeal, they gave a considerable sum, in addition, to the claimant for the loss of his right of presenting himself.

Mr. Gray.—So far as I recollect that case, the Commissioners gave the claimant ten per cent. on account of his being a clergyman. I may add that, on looking into this case, I was not satisfied that the full value of the advowson and the right of succession had been given to the College; and I wrote to the Board when I heard of the Drungoon case, suggesting that they ought to go back to the Commissioners for further compensation. The Board replied that, on consulting their legal advisers, they were advised that they could not do so. I do not think that in the compensation paid to the College our right of succession to the livings was taken into consideration. We desire, therefore, to lay before the Commissioners our claim to compensation for the loss we have sustained in consequence of being deprived, by the Irish Church Act, of our right of succession to the livings which, previous to the passing of that Act, were vested in the corporation of Trinity College; and we, at the same time, beg to submit that the sum of money received by the College as compensation for the loss of its advowson should be held to represent the livings in respect of which it was given, and that we have the same rights against this fund as we should have had against the livings if still subsisting.

252. Judge LONGFIELD.—If we decide in your favour, it would be necessary afterwards to determine what each man should get.

Mr. Moleghy.—We would go to an arbitrator if you require it. My point is that it was not our fault if the College did not get full compensation for the livings. We did our best to show our claim, and we ought not to suffer on account of the fault of the Board.

253. Lord BELMONT.—In making that claim do you

claim a capital sum, or a sum in the shape of income? We ask for compensation simply. There is no use in going into details until the principle is established.

Mr. Gray.—This question appears to be within the scope of the commission which authorizes you "to inquire into the amount received by our said College as compensation aforesaid, and the remedies proper to be provided for any injurious consequences arising from such loss of patronage as aforesaid, and whether the said compensation is affected by any equitable claim arising out of the said vested Acts, or from any changes recently made in the condition or constitution of our said College and University."

Lord BELMONT.—What was meant was that we should inquire what was the sum that was paid to the College.

Mr. Gray.—It occurred to me that the words might also include the additional meaning of "ascertain whether the proper amount has been received." However, as the Commissioners might suggest to the Board to go back to the Commissioners, the Church Commissioners have power, under a clause in the Church Act, to deal with such an application if the Board should go back to them.

254. Mr. FOSTER.—Do you know as a matter of fact, whether the College accepted a sum, or whether there was an arbitration?—There was no arbitration. In December, 1871, we made our application, and between that time and June, 1873, the Board applied for and got their compensation. We might have opposed them.

Mr. Moleghy.—But that would have prejudiced their case.

255. Lord BELMONT.—You are acquainted with the paper sent in to us by the Provost and Senior Fellows? There is a paragraph in it on which I should like your opinion. It is this:—

"The Advowsons were no doubt subject to the condition that the Patrons should appoint persons qualified to perform the parochial duties, and the commercial value was therefore less than if no such condition had existed. Accordingly, when the condition was abolished by the operation of the Church Act, a sum equal to the estimated value of the relief thus given to the Patrons was deducted from the value of the Advowsons, and the balance only (amounting to little more than one-half the value) was given to the Patrons, the right of the Church having been confiscated by Act of Parliament."

Mr. Gray.—I find it difficult to understand the meaning of that paragraph, except it be that they only got the value of the Advowsons as lay patronage.

256. Can you state how the amount was calculated?—It was calculated exactly on the rule laid down by Judge Longfield and the Lord Chancellor.

257. Mr. Moleghy.—On the question of stagnation, I am not speaking of permanent incapacity in the body, of the cases in which a man is incapable of doing his work and consequently must do it by deputy. I call your attention to those cases. There is danger of old teachers—men who may be apparently efficient—getting tired of teaching on the same subjects. That is one of our great dangers. It is not only a question of income, but a question affecting the teaching of the College—a question affecting the interests of the country.

258. Lord BELMONT.—Is the ordinary teaching in the College confined to lectures?

The lectures are in the form of questions and answers. There are only a few of the lectures that consist of a continuous address.

259. Have you lectures for men reading for honours?

—Yes.

260. Judge FLAVAHAN.—Do the men who are non-tutors teach—in point of fact, do all the Fellows teach? They do.

Mr. Gray.—There are very few non-tutors—one or two only.

261. I thought there were six Fellows non-tutors?—Not now. There are only two, Mr. Paxton and Mr. Fitzgerald.



Nov. 4, 1871.

Rev. T. F.  
Gray, M.A.,  
F.R.S.E., &c.  
Rev. J. F.  
Mahaney, M.A.,  
F.R.S.E.

Mr. Mahaney.—The Professors give protections? Mr. Gray.—It is an object that the classes attending each Lecturer should not be too large.

292. Are the classes large?—I think it is not desirable to have more than three in a class.

293. Judge LORIMER.—When did it become customary for Senior Fellows to cease taking pupils?—Before my time.

294. Lord BELMONT.—Are there not a number of the under graduates who do not attend lectures?

Mr. Mahaney.—A good many.

295. Can a person get a degree without attending lectures?

Mr. Gray.—Yes. But it is difficult to answer well at an examination without having attended lectures. An Examiner can tell at once whether a Student has attended lectures or not.

Mr. Mahaney.—I find that there are seventy-five per cent. among the senior students attending lectures.

296. Mr. Gray.—In the scheme of retirement sent in by the Board, it is stated that "If a Junior Fellow not holding either of said offices," i.e., the office of Junior Bursar or Senior Tutor, "or a Junior Fellow, holding an office in lieu of a Tutorship, for which an income equal to that of a Tutor has been provided, a sum equal to his salary as Junior Fellow, together with an amount equal to the share of the Tutorial Fund to which a Tutor in the grade of such Junior Fellow was entitled for the year preceding such retirement." That must be taken to mean the sum to which he is entitled in the grade to which he belongs if he has no pupils. And so the Tutor who has pupils would get no more than the Tutor who has no pupils. In my own case that would make a difference of £140 a year. For example, Mr. Barlow has no pupils. I have always had a large number of pupils. According to the Board's scheme, if we both retired we would both receive the same retiring annuity; whereas, if the Tutor's pupils were taken into account, Mr. Barlow would get £400 a year—I would get £540 a year. Again, take two Fellows who were elected about the same time—one of them becomes Senior Tutor, and as such he gets a fixed salary of £200 a year. The other, who still remains a Tutor, got his Fellowship, say a year, after him, yet the Senior Tutor goes out on £300 a year; the other goes out on only £200 a year. I would therefore suggest that, in the case of a Tutor Fellow, his whole income as Tutor should be taken into consideration.

297. Lord BELMONT.—Are your pupils instructed by yourself?—The Tutor is the patronus of his pupils. He represents his pupils in their dealings with the Board.

298. But it is not necessary that he should deliver lectures to them?—Not necessary. But each of his own pupils as belong to the classes his lectures are always sent to him.

299. Mr. Mahaney.—I have only a very few remarks to make to the Commissioners as to the Divinity School. As to the proposed separation of the Divinity School from the College, it is said to be better that the separation should take place, while the College is favorable to the Church than afterwards. The fallacy in that is that at present there would be a certain injury to the College and the Church from such separation—and that is a more important consideration than the mere probability of an injury fifty years hence. The actual injury which would result from such a separation is the disappearance of the clerical tutors. We find that at present they are the most popular tutors. The public appear to have a fancy for clerical tutors. If the College and the Divinity School were to be separated, there would be no inducement to Fellows to take orders, and the clerical tutors would disappear. A large number of men come over from England here, to be taught Divinity. They would not come over then. The College would then lose the support of the English students, and we have a considerable number of them. The present damage is more serious than the possible damage which may be antici-

ated. I therefore think that any separation at the present time is not advisable. If there is to be a change in the governing body of the Divinity School, Dr. Salmon's plan might be adopted. There is another plan before the Commissioners, that members of the Church of Ireland should be co-opted to the Divinity Board. If the Divinity School were to be separated from the College and placed under a different governing body, the present Professors and Lecturers who have freeholds in their office, might not choose to accept such governing body. The only safe plan would be, that the College should pay a stipendium. The principle of a stipendium fee is, that the College should only pay for the number who are taught Divinity.

300. Mr. MULLENBAND.—Suppose the number should increase?—Then I think, that for every Divinity student, the College should pay.

301. Mr. PORTER.—Does not the College pay a fixed sum per annum for the Divinity School?—It is not fixed—in this way: the number of the teachers may be diminished; it is in the power of the Board to suppress any Divinity lectureship.

302. Mr. MULLENBAND.—How many students are there in the Divinity School?—Sixty or seventy per annum.

303. Lord BELMONT.—There are three assistant lecturers, eight of whom receive £50 and one £30—altogether £450?—Yes. If you reduce the number it would only make a difference of £200 or £300 a year. That is only a fraction of the expenditure.

Mr. Gray.—One remark I wish to make with regard to the Divinity School. If it be necessary to make any change in the Divinity School, I would prefer a board on Dr. Salmon's plan; but for the present I would let matters remain as they are. For thirty or forty years we shall have the present men on the Board in succession. That succession is not interfered with by Mr. Foxcott's Act, and we shall have the same men for thirty-five years, as if Mr. Foxcott's Act had not passed. During that time many circumstances will arise, and men of that day will form a better plan than we could strike out now. One of the effects of separating the Divinity School from the College would be the loss to the College of two offices, Dr. Salmon's and Dr. Lee's, one of £1,213 and the other of £700 a year. Dr. Salmon's professorship can only be filled up from fellows or ex-fellows who are doctors of Divinity. It was only from 1856 that the Board was enabled to elect an ex-fellow; from 1761 to 1814 they could only elect a senior fellow; from 1814 to 1856 they could elect any fellow. The transfer of that office to an outside body would be equivalent to the suppression of a fellowship. In the same way the salary of Dr. Lee's professorship is £700 a year, and the rule is to elect to that office one of the body of junior fellows, and the transferring of that office outside would be equivalent to the suppression of another fellowship.

304. Judge LORIMER.—Has it been admitted by the Board that they have a freehold in their offices?—It has.

305. Lord BELMONT.—In the paper sent in by some of the fellows with respect to the proposed separation, and which is signed by you, it is stated that:—

"In 1790, the Irish bishops drew up a list of books in which they decided to examine candidates for orders, and they sent it to the Board of Trinity College. The Board sent a copy of this list to the Professor of Divinity, the Lecturer, and his assistants, and recommended them to prepare the students of Divinity who attended their lectures in these books. At the same time eleven of the twenty-two Irish bishops signed an agreement that they would not ordain any graduate of Trinity College who had not attended one course of lectures by the Assistant Divinity Lecturer, by the Divinity Lecturer, and by the Regius Professor of Divinity, respectively."

This is the first apparent connexion between the Irish Church and Trinity College? So far as I understand it, it means that the teaching of the Divinity School

was not recognised by the Bishops as a *sine qua non* for ordination until that period.

305. From 1718 there were two Professors of Divinity in the College, and the contention is that because from time immemorial there was an obligation on the fellows of the College to take holy orders, Divinity was always taught in the College in connexion with the Church?

Mr. *Molloy*.—On the contrary, we can show from the registry the first appointment of assistant lecturers, I think in 1784. We have always had catechetical lectures, but I do not consider that that proves anything as to there having been a Divinity School.

306. Do you draw a distinction between the College and the University?—No; we do not separate the College and the University.

307. Judge FLANAGAN.—In the event of a separation you would lose the English pupils?—Yes; because the bishops in England would not recognise a Divinity school outside the College.

308. Suppose there was a separation, and sufficient funds were transferred to establish a school and lectures, why should not the bishops in England recognise the testimonium of that school?—So far as I know the bishops of the Church of England they are jealous of any change, and if the Divinity School fell into the hands of the Church Synod, some things

would be introduced of which they might not approve. I should hope that no such differences would arise; but if they did, I should be bound to stand by the doctrine of the Church as taught in the College.

309. The interests of the College would affect you more than those of the Divinity School?

Mr. *Gray*.—My object would be to prevent any separation, in the interest both of the College and of the Church.

310. Suppose a number of fellows were elected who were not members of the Church of Ireland, how would it be consistent that the nomination of the Regius Professor of the Divinity School should be in the Board?—That would mean that there would be no fellows in the body who would be members of the Church of Ireland; I would accept the position as soon as there was no help for it. It can hardly be assumed that no man who will get fellowship will take holy orders.

311. Judge LOWRY.—If any of the existing fellows should change their religious opinions, would they be deprived of their fellowship?—I suppose not.

312. Suppose a REAR says I am a member of the Church, but I do not believe in the resurrection, or in the eternity of rewards and punishments?—There would be nothing, in such a case, to prevent his holding his Fellowship.

Nov. 3, 1877

Rev. T. T. Gray, M.A.,  
F.R.S.E., and  
Rev. J. P. Mahony, M.A.,  
SECRET.

## TUESDAY, NOVEMBER 6, 1877.

Nov. 4, 1877

PRESENT:—Right Hon. the EARL OF BELMORE, K.C.M.G., in the Chair; Right Hon. MOUNTFORT LONGFIELD, LL.D.; Right Hon. S. W. FLANAGAN; A. M. PORTER, Esq., Q.C.; Rev. J. A. GALBRAITH, F.R.S.; JOHN MURDOCH, Esq., M.P., D.L.

Professors DOWDEN, LL.B., ATKINSON, LL.D., and WRIGHT M.D., presented themselves to the Commissioners.

Professors  
Dowden,  
Atkinson, and  
Wright.

313. Lord BELMORE.—I believe you appear on behalf of the Professors of Trinity College who are not Fellows. Do you wish to make any statement?

Professor DOWDEN.—First, as to our bringing a statement before you at all, it strikes us in this light: If the livings for which compensation has been awarded in the Advowson Fund were given to or obtained by the Fellows merely as bearing the name of Fellows, we can have no voice in its appropriation, but if they obtained this property as being the guardians of education in the University, then we are concerned in its disposal equally with the Fellows, both by virtue of our numbers and our duties. The chief statement of the Professors has been already sent in to the Commissioners. Their views are set forth in that statement, and as regards their own position four points are insisted on, viz.: "That in order that a teacher should devote his best energies to College duties he should feel his personal interests bound up with his work, and himself an integral part of the institution, and to that end he should have—1st, an assured position; 2nd, a direct interest in the success of his work; 3rd, an expectation of promotion; 4th, a provision for retirement when incapacitated through age or infirmity." We, of course, feel the importance of finding some remedy for the evil of stagnation among the Fellows, but we feel that this is not the sole or chief evil that requires to be dealt with if the fund is to be applied to the general interests of the University.

314. At present there is only one Senior Fellow who would retire—I do not know of any but one. Expressing now my individual opinion, I think that there should be a creation of temporary Fellowships, and that all Fellowships should be in the first instance temporary; these Fellowships to be obtained by examination, the subjects of examination to be so ex-

tended as to permit of Fellowships being obtained by distinguished students, not only in classics and mathematics, but in the several subjects of importance taught in the University; and that out of the body of temporary Fellows should be co-opted permanent Fellows, having regard to proved capacity as teachers, and in conformity with the wants of the different departments. The work of Fellows incapacitated through age or infirmity might, I think, be performed by deputies.

315. When you say co-opted, do you propose that life Fellowships should be obtained by election from the temporary Fellows, or that there should be a particular examination for them?—My opinion is that temporary Fellowships should be given as the result of an examination, but that the permanent Fellows should be co-opted from among the temporary Fellows without further examination.

316. Therefore, every permanent Fellow should be a temporary Fellow at first?—Yes; but with regard to this scheme I only express my own opinion.

317. Would you propose that the temporary Fellows should take part in teaching?—They should take part in teaching, but not become tutors.

318. Judge FLANAGAN.—Do you consider that the teaching staff of the College is at present insufficient?—I do not know that it is at present insufficient for the absolute requirements of the College.

319. Do you propose that deputies should be employed only to provide for cases of incapacity or infirmity?—Yes.

320. Have you any view as to the class of persons to be appointed as deputies?—They might be drawn from the body of Fellows or Professors, or, if desirable, from persons outside the teaching staff of the College.

321. Should there be an examination for deputies?

May, 6, 1877.

Professors  
Adkinson, and  
Wright.

—Not if they were chosen from among the Fellows or Professors.

322. In the event of infirmity or incapacity in there not an efficient staff for the teaching without deputies?—I think there may be at present, that is, without deputies drawn from outside the body of Fellows and Professors.

323. If any particular Fellow, e.g., a lecturer in Greek or ancient history, was incapacitated at present, would not another of the Junior Fellows take his place?—I suppose so.

324. Suppose a Fellow was absent for a year or more from illness, and that the appointment of a deputy became necessary should not some one of the Junior Fellows be appointed to perform the particular duties?—I think so.

325. If the teaching Fellows are sufficient what is the purpose of appointing deputies?—The teaching staff would be diminished by the incapacity of any of its members; but the deputies need not necessarily be drawn from outside the teaching staff.

326. There are twenty-six Fellows, and the Provost has told us that for fifty years there have been only two incapacitated?—There is a crisis approaching which makes it probable that the ages of some of the Junior Fellows and of the members of the Board will be more advanced than formerly.

327. Deputies would be a temporary expedient, not a general provision regulating the College?—A provision to be resorted to at any time, but only in cases of necessity.

328. The Professors are not on the foundation, they are not a part of the corporate body?—I believe not.

329. Lord BELMORE.—Do you propose that the number of permanent Fellows should be reduced, or that any addition should be made to them?—I should leave the number of permanent Fellowships as at present, but create some new temporary Fellowships, and ultimately make all Fellowships temporary in the first instance, widening at the same time the basis of examination.

330. Then you propose that there should be a gradual merging of the Professorships in Fellowships?—Yes, as far as regards Professorships which require the teacher's chief energies. We state—

\* We believe that where a subject is important enough to form a part of the general education, and to require the teacher to devote his chief energies to the work of the place, he ought to possess an equal interest in the place with the Fellow. This and could in the future be attained by widening the basis of Fellowship so as to allow of Fellows being elected for distinction in those subjects which at present form the departments of Professors.

331. Judge FLANAGAN.—That is a scheme not for increasing the teaching staff, but substituting Fellows in lieu of professors?—Yes.

Professor Adkinson suggested that Honorary Fellowships should be instituted corresponding with Honorary Fellowships at Oxford, to which Professors might, after a course of years, be elected, so as to be considered as Fellows. The Fellows were elected after an examination for life; no condition being made with them except that of ascertaining whether they gloriously neglected their duties or not, and they became Senior Fellows without any further test. The public test on which Professors were elected was necessarily a severe one; but in neither case should examination or test be required to do more than guarantee the possession of certain qualifications to justify the introduction of a Fellow or Professor into the teaching staff; his further continuance there should depend on the real test of actual experience in the working of the institution.

Professor Wright said that the need of Temporary Fellowships was much felt by the Professors.

332. Lord BELMORE.—What would be the distinction between Fellows and Temporary Fellows?

Professor Wright.—The Temporary Fellows would not of necessity become Tutors, nor would they come in for a share of the tutorial fees.

333. Judge FLANAGAN.—For what period are the Professors elected?—Some for life, some for five, some for seven years.

334. How many are elected for life?—Five or six. Two of those present are elected for life. Professors are not elected for life until they have proved their capacity for teaching.

Professor Adkinson.—We appear as representatives of the Professors at large, but it is impossible to avoid calling attention to the distinction within the body of professors between those who devote themselves wholly to University work and those who have extra-University professions. The claim of those who devote themselves wholly to the work of the University appears to me to be much stronger than that of the others.

335. Lord BELMORE.—I suppose that the inference to be drawn from your statement is that the Advowson Fund might be properly applied to carry out the objects which you have in view. Will you explain in what way that would be done best?—No great institution can be considered in a healthy condition so long as the position of a large portion of the working staff remains a cause of just discontent. If the position of the Fellows is not satisfactory, that of the Professors—a body almost as numerous and equally engaged in carrying on the education of the place—is far more unsatisfactory. There is no promotion whatever, and only in some instances has a pledge of any pension been given. As set forth in our statement we should be given, after a certain number of years' service, an assured position; we should be elected for life. In my case and that of Dr. Adkinson this has been already done. In my case a case after being once re-elected, I was appointed for life. What we desire is that such an arrangement should be extended as widely as possible. Secondly, we should be given a direct interest in the success of our work. The object would be attained in a general way in proportion as we were made an integral part of the University. I do not propose that the Professors should be paid by fees for attendance on their lectures. I am not in favour of that. Thirdly, we should have an expectation of promotion. Last, there should be a provision for retirement when incapacitated through age or infirmity, and such provision should not be limited to the Professors in whose cases it already exists, but should be extended as widely as possible. I may touch on one more point. I approach it with some reluctance. An allusion is made in our statement to the smallness of the salaries of some Professors. For myself I feel that I have been somewhat liberally dealt with, but I may perhaps take my own case as representative of some of the Professors. I hold two professorships, that of English Literature and that of Oratory. When I was appointed my salary was £100 a year as Professor of English Literature and £80 as Professor of Oratory. I now receive £300 a year as Professor of English Literature and £60 as Professor of Oratory. Including my examination fees, I receive £400 a year.

336. Lord BELMORE.—Are fees paid by the students for attendance on your lectures in addition to College fees?—No.

337. Do Undergraduates pay any special fees over and above the College fees?—A small fee paid to the Bursar is required for attendance on certain lectures of the Professor of German and Professor of the Romance Languages.

338. Judge FLANAGAN.—How many Professors are there who are not Fellows?—Twenty-four. Dr. Little is not included.

339. Mr. MURKILLAND.—These Professors are elected for seven years?—Some for five, some for seven years.

340. Are they capable of re-election at the end of the term of their Professorship?—Yes.

Professor Adkinson.—I think it is as well to mention that the number of Professors does not correspond with the number of Professorships.

## ARTHUR PALMER, Esq., F.R.C.S.

341. Lord BLENHEIM.—Whom do you represent?—The Fellows who are junior to me.

342. How did you get your Fellowship?—In 1867.

343. How many Fellows are junior to you?—Six. I represent five of them. I do not include Mr. Fitzgerald, who got his Fellowship this year. From 1867 to 1873 there were six Fellows elected, including myself. For them I speak.

344. What do you complain of?—The stagnation in promotion, as it affects the juniors among the Junior Fellows.

345. What evidence do you produce of the stagnation you speak of?—The source of our income is, namely, Tutorial Fund. The Tutorial Fellows are divided into three divisions. We receive payment out of that fund in three grades—the Junior grade, the Middle grade, and the Senior grade. There are five tutors in the Junior, nine in the Middle, and five in the Senior grade. There are two Junior Fellows who are not tutors. They do not derive any income from the Tutorial Fund. What I wish to show is the length of time which elapses before men in the Junior grade now get into the Middle grade. I take the four Fellows who were elected immediately before the grievance of which I complain began—Mr. Ferrar, Mr. Gray, Mr. Mahaffy, and Doctor Truill. Their cases will be sufficient to show the average time men then remained in the Junior grade. Mr. Ferrar became a tutor in 1862, and he got into the Middle grade in 1867—five years; Mr. Gray became a tutor in 1863, and he got into the Middle grade in 1868—five years; Mr. Mahaffy became a tutor in 1865, and got into the Middle grade in 1870—five years; Dr. Truill became a tutor in 1866, and got into the Middle grade in 1871, having been five years in the Junior grade. Dr. Tuckwell is the next; he was appointed tutor in 1867, and remained in the Junior grade for ten years. I myself was appointed tutor in 1867. I have been ten and a half years in the Junior grade, getting only four steps, and have not yet got into the Middle grade. Mr. Tyrrell got his tutorship in 1869, and has been eight years getting three steps. Mr. Cathcart became a tutor in 1870, and has been seven years getting two steps. Mr. Burnside was appointed tutor in 1871, and has been six years gaining one step. Mr. McCay, who was appointed tutor in 1877 (this year) had been two years getting into the Junior grade. Mr. Panton has been four years a Fellow, and is not yet a Tutor.

346. What is Mr. Panton's income?—His average income since he got Fellowship has been £233 a year.

347. How is this made up?—By his startable salary as Junior Fellow, about £36, by £108 a year which is paid by the Board to him as a non-Tutor Examiner, and by examination fees. He has also held for a year and a half a new post of £160 a year—that of Mathematical Lecturer, so that his income has been above £360 for the past year and a half.

348. Have you any claim on the Advowson Fund?—We think we have a general claim. We think the fund, or a large portion of it, might fairly be devoted to remedy the stagnation which affects all the Junior Fellows. When the Clerical Fellows make a claim on the Advowson Fund, we think (Mr. Tyrrell and I) that we have a similar claim. We got our Fellowships in 1867 and 1868, and along with them our chance of the College Livings. We had three years to take Holy Orders, and in 1869, before the three years had elapsed, the Irish Church Act took away the College Livings. The principal reason I did not take Orders was the passing of that Act. Therefore, though Lay Fellows, we are in the same position as regards the suppression of the College Livings as the Clerical Fellows.

349. How so?—Mr. Tyrrell and I were elected in 1867 and 1868, and we had three years to take Holy Orders. The Irish Church Act passed in 1869, and by it the College Livings were taken away. Thus

the chief object for becoming clergymen was taken from us before the three years had elapsed. Mr. Tyrrell was elected in 1868, and the year after the Irish Church Act came into operation.

350. Judge LEWIS.—What remedy do you propose?—I speak of the two distinct schemes, one by the Board, the other proposed by the Junior Fellows—the retirement scheme: are they different schemes?—Yes.

351. Which do you advocate?—I would rather object to the retirement scheme, as doing away somewhat with the prestige of the Fellowship, and also that it does not provide for compensation to individuals for giving up a portion of their income. The scheme proposed by the Board is better.

352. Lord BLENHEIM.—What is the scheme of the Board?—Its chief principle is optional retirement when incapacitated by age or infirmity. I think the scheme of the Board is good, but it should be supplemented. At the present moment it might provide only for our vacancy. There might possibly be two vacancies created by it among the Fellows. I think there would be only one; but even if both gentlemen accepted the retirement, there would be as bad or worse stagnation in three or four years. I would supplement the scheme by providing a salary for members of each grade after he had been a certain time in the grade.

353. That is, that the proportion to be paid to a member of a grade should not depend merely on the fact of his belonging to that grade, but also in the number of years he has been in it.—That is what I would propose of.

354. Judge LEWIS.—Do you think it would be a good plan to make the division of the Tutorial fees variable from time to time?—I think that would be a fair system, and would meet many of the objections.

355. Do you think that the men in the higher grades would consent to that?—I do not think they would. I also wish to say that no scheme would be satisfactory that does not provide to some extent a fixed limit for the Tutor's income. There is no such limit now. Accordingly the income of the tutors fluctuates too much. Take, for example, the period during the Crimean War, the incomes of the tutors fell considerably. If the war between Russia and Turkey should last and we become involved in it, the incomes of the grades would fall again considerably.

356. Lord BLENHEIM.—Do you think or do you suggest that any measure should be adopted by which the rate of promotion to the Board should be accelerated?—I have not considered the question very fully; but I think promotion to the Board should depend not solely on seniority of standing. I think either that the Junior Fellows might be represented on the Board, or that the Board might be elected by the whole body of Fellows from among those who have been Fellows fifteen or twenty years.

357. What has been your average income, and that of these junior to you since you got your Fellowship?—£430 has been my average.

358. Have you ever compared your income with the income of Fellows of your standing in the English Universities of Oxford and Cambridge?—I have no statistics on the point. The two things are not, I think, to be compared. A Fellowship in Dublin is looked upon as a profession and a provision for life. In Oxford and Cambridge this is not so, except in certain cases. You cannot compare a Dublin Fellowship with Fellowships in Oxford or Cambridge, which are terminable, or which are vacated on marrying. You can only fairly compare a Tutorship in Dublin with a Tutorship in Oxford or Cambridge, and I believe the English Tutorships are better paid than those of the lowest grade in Dublin.

359. What has been the average income of the Fellows who are junior to you?—Mr. Cathcart's is £230, Mr. Burnside, £400, or a little over, Mr.

Nov. 6, 1877.

Arthur  
Palmer, Esq.,  
B.C.C.C.

Tyrell's is an exceptional case, as he is Professor of Latin, Mr. McCay's about £300, Mr. Painter's, I have already stated, £393.

360. Do you reckon in these sums their rooms and commons?—I do not. I speak of hard cash exclusive of chambers and commons.

361. Is there any other grievance connected with recent legislation which you think demands redress?—I think I stated incidentally that one complaint I have is that the University is not secularized. There are offices open to clerical Fellows which are not open to lay Fellows.

362. Mr. GALEMUTH.—You mean the Rectorships in the Chapel?—Yes, and others too. The Rectorships were created since the passing of the Irish Church Act. That was a step rather in the contrary direction to what we might have expected.

363. Judge FLANNAGAN.—You said that there ought to be a fixed basis for the incomes?—For instance, the Professor of Greek gets £200 a year on a fixed basis, and the Professor of Latin £200 a year, and their proportion of the trifling fees. But the Tutor who takes pupils have no fixed basis.

364. In the event of the recurrence of an exceptional year, such as that of the Crimean War, or a succession of such exceptional years, you anticipate that the trifling fees would go down?—They would go down. In such years there is a great tendency on the part of young men to go into the army.

365. Then you would have to reduce the fixed basis to a lower figure?—No, I would preserve the same fixed basis always: in such years the fluctuating part would fall.

366. Are the revenues of the College absorbed in the payment of Tutors and Professors?—I presume they are, or nearly so. But the trifling part might be distributed on some fixed basis. Somewhere or other, there ought to be a fixed basis to a man's income.

367. You stated as a grievance that there are many clerical offices which you cannot accept, and therefore, that the clerical Fellows are in a better position than the lay Fellows?—Yes.

368. Is not that their own fault?—There are no

livings now, and they were the chief inducement to the lay Fellows to take orders.

369. Then you propose that the emoluments of these offices, which are open to clerical Fellows alone, should be taken from them and distributed among all?—No; but some of these offices might be thrown open, such as lectureships in Hebrew, and the inequality might be remedied further by the creation of offices which lay Fellows might hold.

370. Mr. FURMAN.—You have given an instance of the rate of promotion among the Fellows, before the stagnation commenced, the case of Mr. Fennar, Mr. Mahaffy, and Dr. Todd, whose average of promotion was five years?—Yes.

371. Since that promotion has been much slower?—Yes.

372. How do you account for that?—By the loss of livings and loss of bishoprics. Fellows used to get nearly as many bishoprics as livings. Between bishoprics and livings, we should have had two or three vacancies at least since the Church Act. In twenty-seven years, from 1845 to 1895, ten livings were taken by Fellows. That is an average of about one every three years. If that be so there would have been two or three vacancies by livings since the Irish Church Act.

373. Only some of the larger livings were attractive to Fellows?—That was not always so. Dr. Larnigan lost his Fellowship for a small living, and so did his predecessor.

374. Have there been vacancies by death or resignation among the more important livings since the Church Act?

Lord BELMONT.—Downing was vacant last year. Judge LOWRY.—And Clonsilla.

375. Mr. FURMAN.—Were there any special circumstances making the rate of promotion quicker before the period of stagnation began?—No; vacancies were rather more numerous than usual perhaps. I think six years is about the average time a man remained on the junior grade before the Act.

376. Judge FLANNAGAN.—What is the difference between the incomes of the different grades?—Last year it was £140. It runs from £140 to £200.

The Rev. JOSEPH CURSON, D.D., S.T.C.D., BARNES.

Rev. Joseph  
Curson, D.D.,  
Barnes.

377. Lord BELMONT.—Will you be so good as to state from what sources the revenue of the College is derived?—I cannot answer that question better than by presenting a balance sheet of the income and expenditure of the College for the last four years, 1873-76, which was prepared by myself annually in the discharge of my duty as Bursar, and laid before the Board on the 30th of November in each year. I have not received the authority of the Board to do so, but I do not think that the Board would have the least objection to your seeing the balance sheet.

[The balancesheet was handed to Lord Belmont.]

378. The income of the estates is £45,504 17s. 2d. 1.—Yes. This was the net amount of income received from the estates in the year 1876. The other sources of income of which the particulars are set down in the balance sheet bring the income up to £64,771 4s. 7d. The expenditure is given in the table below.

Dr. CURSON read the items from the balance sheet and continued.—The item of expenditure on building, maintenance of buildings, and insurance of buildings, may appear large, but it arises from the fact that, in consequence of many of the College buildings being very old, the expenditure for their repair and maintenance is necessarily considerable. If modern buildings were substituted for them, the expenditure would be comparatively moderate. Instead of expending such a large sum on repairs, the only alternative would be to pull down the old buildings and to build others in their stead. But that would involve a very great immediate expense. The accounts of the last two years

show a balance of income over expenditure in each year of about £700.

379. We understood from the Vice-Provost that the income and expenditure were about equal without counting the Advowsons Fund?—Yes. In the years 1875 and 1876, a sum of about £8,500 was expended on the new Antiseptical Museum in the Park. Taking the one-half of this sum, and deducting it from the expenditure of each of the years 1875 and 1876, it would raise the margin of income over ordinary expenditure in those years to about £4,800 or £4,900, so that practically the Vice-Provost is right.

380. Was not a portion of the sum received for the Advowsons, the compensation for three livings purchased by the College?—Yes, and the money derived from these three Advowsons of Killybegh, Killybegh and Clagherny, was applied in redeeming a portion of the tithe-rent charges on the College estates. The item of £3,136 16s. is the amount of income given in the balance sheet, is the interest on the portion of the Advowson money invested in the Government Fund, outlying the part which was applied in redemption of the tithe-rent charges. When the Advowson Fund was paid over by the Commissioners to the College, the Board took counsel's opinion as to what they should do with the money. They were advised by the eminent counsel who was consulted, that, with regard to the eighteen Crown livings, as these were granted to the College by Letters Patent of King James I., the compensation money for these Advowsons should be dealt with like the estates granted to the College by the same Letters Patent—that the Board should act with re-

paid to this money in the same manner as is done with respect to those College estates which the Board have no power to part with, and which are held in perpetuity for the general purposes of the College. He added, however, that the Board were at liberty to apply the interest of this money in the same way in which the rents derived from the estates are used; namely, for the purposes of general collegiate expenditure. But counsel was of opinion that the sum of £23,700 received for the three livings purchased by the College, stood on quite a different footing, and that the Board were not bound to preserve it intact, as a separate fund. What was actually done was this. The Board invested in Government Stock the sum of £96,207, received for the eighteen Crown Livings; and they then took the £23,700 which had been received as compensation for the three Advowsons above mentioned and £18,733 that had accrued for interest, making altogether £44,433. The £18,733 was the interest on the whole sum. The above sum of £44,433, was paid over to the Commissioners of Church Temporalities, and by this payment the title-rent charge on the College estates was reduced to the extent of about £1,080 a year.

Dr. Carson again referred to the balance sheet. Practically the amount of the net rents from the Old Rectory and the Baldwin estate, viz., £40,949 in all, is larger than it would have been by about £2,000, if the title-rent-charge had not been redeemed in the manner above explained; inasmuch as the title rent charge is one of the items deducted from the gross rental, before the net amount is set down in the account.

381. As to the Divinity School; what we want to ascertain is contained in the last question put to the Board—"what is the average annual expenditure of the College in the Divinity School over and above the income arising from private endowments?" Is that shown in this paper?—It is, with one or two very trifling corrections. One of the points on which I would wish to say a few words and to lay my views before the Commissioners is with regard to the Divinity School. The three largest items of expenditure are the salary of the Regius Professor, £1,312, the salary of Archbishop King's Lecturer, £700, and £300 for the Theological exhibitions. What I wish to say is this—It is a mistake to suppose that the Professor just named were originally appointed solely for the instruction of candidates for Holy Orders. The opening words of the statute 1 Geo. III., cap. 1, show clearly that the lectures of the Regius Professor of Divinity were intended for the benefit of the whole of the Students. The words run thus—"Since it is of great consequence that the youth of the University (those particularly who are intended for Holy Orders), should be more diligently instructed in sacred literature and the doctrines of the Christian religion, for which purpose principally this College was founded." These latter words apply to the whole *junioris academiciæ*, not solely to the candidates for Holy Orders. The Crown, who originally gave the great bulk of the estates to the College, by virtue of the power which it had reserved to itself in the statutes, imposed a charge on those estates of £1,300 a year, as an endowment for the Regius Professorship of Divinity; and this was done by the Crown for the benefit of all the Students of the College, and also for the benefit of all the Fellows; for though at first no one but a Senior Fellow could be appointed to the Regius Professorship, afterwards by the Royal letter of 31 Geo. III. the appointment was opened to all the Fellows, and afterwards again to all Fellows and ex-Fellows. If the Divinity School be removed from Trinity College, there will be removed along with it this sum of £1,300 a year, and the College will lose the endowment which the Crown originally intended for the benefit of all its Students. It is plain that if the Divinity School be transferred, the right of appointment to the Regius Professorship of Divinity, with its endowment of £1,300 a year, which was intended for the

benefit of every person who should be educated in Trinity College, will be lost to the College. Many students have availed themselves of the benefit of the lectures given in the Divinity School who never entered into Holy Orders. I will mention one example of this fact. The present Vice-Chancellor of Ireland was a Scholar of the House, and as such he was obliged—as all Scholars then were—to attend one or other of the Divinity Professor's. He attended all the lectures necessary to qualify him for Holy Orders. Certain prizes are given annually in the Divinity School, and among others two prizes called *Darwin's Præmia* are awarded for extempore speaking. The Vice-Chancellor and Dr. Magee, the Bishop of Peterborough, contended for these prizes, and the Vice-Chancellor got the first prize, and Dr. Magee the second. The appointment of the Regius Professorship of Divinity was intended for the whole *junioris academiciæ*. In connexion with the subject of the Regius Professorship of Divinity, I would wish to notice one important point in which we differ radically from the Queen's Colleges, namely, the subject of Degrees in Theology. In the paper sent in to the Commissioners, signed by myself and several other Fellows, Senior and Junior, it is stated that by reference to the Charter of Queen Elizabeth, which was confirmed and extended by the Charter of Charles I., it appears that Trinity College was not established or endowed specially or mainly for the education of the clergy of Ireland. The Charter states the object of the foundation to be this, that the youth of Ireland should be piously and liberally educated; that they should be assisted in the pursuit of learning, and in the cultivation of virtue and religion; and in order to carry this object out to the fullest extent, the Students have been granted, by the Charter of Elizabeth, the right of obtaining degrees in proper time in all Arts and Faculties, including Theology. The words of the Charter are, "Ut studentes in hoc Collegio . . . liberation et facultates habeant grades . . . in sacris artibus et facultatibus obtineant." Now, we cannot divest ourselves of that part of our duty imposed on us by the Crown. That duty is plainly recognised by Mr. Fawcett's Act. The preamble of that Act recites that "it is expedient that the benefits of Trinity College and the University of Dublin, and of the schools in the said University in places of religion and learning, should be rendered freely accessible to the nation;" and furthermore, it declares that "so long as the University of Dublin shall continue to teach and to grant degrees in the Faculty of Theology, the Professors of Arts and Lecturers in Divinity" shall be excluded from the operation of the Act. Whatever may be done with the Divinity School, Trinity College will still be bound to grant degrees in Theology. One of the recent acts of the University Senate, which remodels the rules for granting Theological degrees, provides expressly that candidates for degrees in Theology shall be carefully examined; so that, in fact, we must keep up a College Theological staff of some kind or other to enable us to carry out the provisions of our Charter of Foundation. If the endowments of the Divinity School are taken away, we must make up the salaries of this Theological staff in some other way. In other words, a very considerable pecuniary burden will be imposed upon the general funds of the College.

382. Can a person in Deacon's Orders get the degree of B.D.?—Certainly; a B.D. may be even a layman.

383. A man may become a B.D. by performing the exercises merely?—That appears to be the plain consequence of Mr. Fawcett's Act. I will now go on to the next topic—Archbishop King's Lecturer. The basis on which that Lectureship stood was a very peculiar one. Formerly the office, with the small salary arising from Archbishop King's endowment, was held by one of the Senior Fellows, who was annually elected; but it was made a separate office in the Divinity School, or I should rather say, it was put on its present basis, within my own recollection, in the year 1833. The Board of that day were very anxious to improve the teaching of the Divinity School, and they appointed the late Dr.

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Nov. 8, 1877.  
Rev. Joseph  
Casson, Esq.,  
M.P. &c.

O'Brien, as Archbishop King's Lecturer, with a salary of £700 a year. At that time the Board had no power to put a charge on the estates of the College. The only power they possessed was to charge any new salary on the fund arising from the general payments made by the students. The Board considered, and fairly so, that the emolument of the Professor when they appointed would of itself attract a large number of students both from Ireland and England, and that the fees paid into the College funds, under the name of Donations, would enable them to pay the salary of one of the principal teachers of the School; in other words, that the salary of Dr. O'Brien and his successors, would come out of the fees paid in by the students. No student ever paid special fees for Divinity lectures in the College. The payment of the salary of Archbishop King's Lecturer is made out of the *Quota Communis*. If the Divinity School were removed from the College, an important source of revenue would be lost to the College, by diminishing the inducement to students to come here. There had been as many as 165 students in the Senior Divinity class alone. The loss of the inducement to come to the Divinity School would therefore be a very serious injury to the College funds. I now come to the third item to which I referred above, of £300 for Theological Exhibitions. Those exhibitions were created in 1838, and naturally furnished a strong inducement to young men of ability who intended to enter Holy Orders, to join the Divinity School. If the connection between Trinity College and the Divinity School should be severed, the College would sustain a loss from the falling off of the students who have hitherto come here attracted by the exhibitions and prizes in the Divinity School, and who have paid their fees into the *Quota Communis*. In this, as well as in many other respects the College would suffer a very heavy loss.

384. £1,632 were paid in the shape of salaries—

Yes.

385. The other payments amounting to £128—what are they?—They come under the head of examination fees.

386. What is the exact amount of the College expenditure on the Divinity School for the last three years?—The entire amount of the College expenditure on the Divinity School, including salaries, examination fees, exhibitions, and prizes, on the average of the last three years, is £2,847 16s. There are three important points in which we differ from the Queen's College—namely, as to Theological Degrees (to which I have already adverted), the second as to religious instruction for Students, and thirdly, attendance on Divine Service in the Chapel. Anyone who looks over the regulations of the Queen's Colleges will see that from the nature of the case it is impossible to have any Theological instruction in those Colleges, or authorised religious teaching, because one of the obligations imposed on their Professors is that they shall not touch on any religious subject tending to produce contention or excitement.

Dr. Casson read the Form of Declaration required to be made by a Professor of the Queen's College upon entering into office, which contains the following passage:—

"I moreover promise to the said President and Council that I will not introduce or discuss in any place or capacity of Professor, any subject of controversy, political or religious, tending to produce contention or excitement."

Again, there is no provision made in the statutes of the Queen's College for the maintenance of Divine Service. We have among the statutes of Charter I. a chapter entitled, "De cultu Divino," which contains express provisions for the maintenance of Divine Service in the College Chapel, and which still forms part of the statutes of the College. I may mention a remarkable circumstance which occurred during the progress of Mr. Fawcett's Bill through the House of Commons when it was in Committee. A member of the Liberal party (Mr. T. E. Smith) moved an amendment to do away with the possibility of any

obligation being imposed upon any Student to attend any religious service whatever, but the House of Commons rejected the amendment by a majority of 115 to 45 (*Parliamentary Debates*, vol. 215, p. 1,535, May 8, 1873). The existence of the Divinity School within the College enables us readily to carry out the provisions of the Statutes for Divine Service in the College Chapel, but, if the Divinity School were removed, and we were put on a basis analogous to the Queen's College, it would be very difficult for us to comply with the obligations imposed on us by the statutes. The same thing holds with regard to instruction in the Holy Scriptures. This part of our instruction to undergraduates is, to a certain extent, voluntary, but although voluntary, the great bulk of our Students avail themselves of it, and even some Roman Catholics have attended Catechetical Lectures and have received prizes. In order to provide efficiently for the catechetical instruction of the students, we require the services of experienced teachers, an advantage which we have hitherto enjoyed. All these points have an important bearing (as it appears to me) on the question of the removal of the Divinity School. I remember seeing, three or four years ago, a pamphlet written by a prominent Roman Catholic Divine, in which he drew a marked distinction between Trinity College and the Queen's College, as regards the points which I have mentioned, namely, the recognition of religion involved in the maintenance of Divine Service within the walls of the College, and the religious instruction given to the bulk of our students. I believe that if the object of recent legislation be that Students of all religious denominations should be attracted to the College, the thorough secularisation of the College would deter rather than attract students belonging to the Roman Catholic Church. Respect for religious observances, and a desire for religious teaching held a high place in the minds of most persons in Ireland, and are objects of great interest with parents and guardians who bring young men for education to Trinity College. There is another point which it is necessary for me to refer to in connection with this question of the Divinity School. The paper sent in by the Board to the Commissioners, dated April 21, 1877, states the proceedings by the Board up to the time it was sent in, but it does not bring them down to the latest point. In May, 1875, the Divinity School Committee appointed by the Synod passed into two resolutions. The second was—

"That the Divinity School Committee respectfully suggest to the Board the advisability of affecting the security of the pecuniary part of the arrangement, by capitalising the income requisite for maintaining the Divinity School, and handing over this capital to the Representative Body in trust for this purpose."

The Board last year were evenly divided on this resolution, four voting for it and four against it, as stated in the paper sent in by the Board; but, after the present Royal Commission had issued, when the Provost brought the same question again under the consideration of the Board, the Board rejected that proposition by a majority of five to three. This occurred on the 25th of April last, a few days after the paper of the Board had been sent in. My own opinion, as your lordship will gather from the statement to which my name is appended, is strongly opposed to the removal of the Divinity School from Trinity College. There is, I am convinced, in many quarters throughout Ireland a strong leaning of public opinion, to the effect that the Divinity School should still remain within the walls of Trinity College. It appears to me that an arrangement somewhat of this kind might be adopted, in order to get over the difficulty of having the Divinity School managed by persons not members of the Church of Ireland. Let a board of eight persons, taken by seniority from Fellows of Trinity College who were members of the Church of Ireland, have the general control and management of the Divinity School, and let the power of appointing the Professors be given to that board with an absolute vote to the Bishops on all such appointments. The Bishops are not bound

to receive the testimonial of the Divinity School. They may ordain whom they like, and it is of the utmost importance that they should be satisfied with the suitability of the persons who may be appointed Professors in the School. I am in favour of a smaller number of members on the Board who may have the management of the Divinity School, than that suggested in the paper of Doctor Salmon. He wishes to make the Divinity Professors members of the Divinity Council if that were adopted we might have a man voting for his own election to the office of Regius Professor of Divinity. I have had long experience as a member of Boards, and as far as that experience goes I am in favour of small Boards. I am strongly in favour of concentrating the responsibility in as small a number of men as possible.

337. The income of the College rises a good deal!—The highest amount of net income reached in the last five years was in 1874, when it appears to have been nearly £2,000 higher than it was in 1873. The interest on the Advowson fund is included in both years. The net income from the estates is subject to considerable fluctuations. The gross rental is for the most part fixed, but, in order to ascertain the net rental, account must be taken of deductions for poor rates, agency and other charges, and deductions under the head of improvements, in addition to those rents which may be in arrears. The College holds large tracts of land in Kerry, and especially in the neighbourhood of the town of Glenties. When the former lease of these lands expired in the year 1865, the general condition of the tenants was most wretched, and a contract very unfavourable to the College was not infrequently drawn between these lands and the adjoining estate which belonged to the Marquis of Lansdowne. In order to remedy this state of things, the College has been obliged within the last ten or eleven years to expend a sum of over £12,000 upon the improvement of Glenties and its neighbourhood, a considerable part of which expenditure is, as yet, unproductive. As an example of the nature of this outlay I may mention that, a few weeks ago there was an application from the Knight of Kerry that the College should contribute to the improvement of the pier at Broadford Point, opposite to the Island of Valentia, for which the Grand Jury had voted a conditional grant of money. The Board agreed to grant a considerable sum for this purpose. Expenditure on improvements of this kind varies considerably from year to year. I need not say that the poor rates have immensely increased within the last few years. All these things have a tendency to cause fluctuation in the net income received from the estates. But there is another equally important source of fluctuation in the general collegiate income, viz., the payments from the Students' half-yearly fees, and the fees for degrees. These payments fluctuate to a great extent. The entrance fees also are liable to much fluctuation. All these considerations impose a great responsibility upon the Board in the financial management of the College, and thus it becomes very necessary to have always a considerable margin of income over expenditure in order to avoid the risk of a financial deficit. Another important cause of disturbance, as regards the balance of income and expenditure, may arise from delay in payment of the rents. There are three tenants of the College whose rents amount in all to £11,000 a year, and a considerable difficulty might arise if these payments were not made at the proper time. One of these tenants pays the College £5,000 a year. If there was any delay in the half-yearly payment of his rent it might make a difference of between £2,000 and £3,000 in the net receipts for the year.

338. Are the rents in the nature of headrents?—A great part of them is of this nature. About three-fourths of the College rents are paid by the immediate lessees of the College, who occupy the position of middle-men, and who have large beneficial interests in their perpetuity leases; and the remaining fourth is

paid by tenants who are for the most part in actual occupation of the lands.

339. Judge FLANAGAN.—I believe you stated that the Regius Professor was originally appointed, not for the Divinity Students exclusively, but all the Students?—I referred to the Statute of George III.

340. Practically of late years are not his lectures confined to Divinity Students?—They are. Divinity Students are the only persons whose attendance is compulsory.

341. You also said that when Dr. O'Brien was appointed Archbishop King's lecturer his salary was increased?—Yes.

342. What was the old salary?—I believe it was £50 a year.

343. And it was raised to £700 a year?—Yes, in the year 1833.

344. Was there an increase in the number of students after that?—There was.

345. Could you show by any return the number of students who attended the Divinity School before the salary was raised?—Yes. It appears from a return sent in by the Board, dated November 17th, 1877, that the average number of Divinity Students during the five years 1828–33, was 114.

346. Do you consider that the effect was to attract a number of students whose fees were sufficient to make up the difference?—Owing to the division of the Divinity Students after the year 1838 into two classes, Senior and Junior, it is not easy to state precisely the pecuniary gain to the College arising from the change made in that year with respect to the office of Archbishop King's Lecturer. That some gain accrued to the College is certain, for I find in the return just referred to that the average number of Students, in the senior class alone, during the years 1843–50 (after the importance of the changes in the organization of the Divinity School had become generally known) amounted to 152. But I do not think that the fee arising from the increased number of Students was sufficient to make up the increase of salary. I am dealing simply with matters of fact, as they appear on the face of the returns. The Board decided to pay the increased salary of Archbishop King's Lecturer in Divinity, out of the documents paid by the students, and I consider that they were authorized to do so because the students whose fees were applied in payment of this salary derived the benefit of the instruction of the Lecturer.

347. Judge LORIMER.—Might there not be this reason that the Board considered that they had a right to do what they liked with the decrements, but had no such right over the College lands?—That is quite possible.

348. Do you know what was the general condition of the Junior Fellows at the beginning of this century. Were they able to live on their income?—I have no means of knowing. Possibly that information might be got out of the books in the Bursar's Office. There is a clause in the Statutes containing an express prohibition against lending money or advancing money to any person.

349. Mr. GALEWATHE.—At the time that Judge Lengfield alludes to some of the Fellows were very poor!—Everything depended on the number of their pupils. At present that cannot be, for there is a certain share of the Tutorial Fund which each Tutor must get. But there were instances of Fellows being very poor. The only difference now, which the number of pupils makes in the income of a Junior Fellow is this, that out of the entire annual amount of the Tutorial Fees paid by each student—£8 8s.—all of which originally went to the tutor—the tutor now gets £1 1s. and £7 7s. is paid into the Tutorial Fund. Some tutors who take more than ordinary care of their pupils, always have their chambers full, because parents are always glad to place their sons under the care of such tutors, but they are frequently prevented from carrying their wishes into effect by the operation of a rule of the Tutorial system



Nov. 4, 1877.

Rev Joseph  
Gaston, D.D.,  
SECRETARY.

called the Limit. What happens is this—a father who has a son to enter, and has a high opinion of one or more of the Fellows, takes his son to one of these Fellows, who replies, "I am full," then he goes to another, who says, "I am full also," then he goes to a third, who tells him that he is full also. The father is then frequently obliged to put his son under the care of a gentleman he knows nothing of. I think this rule of the Limit works very prejudicially for the interests of the public, and also of the College.

400. Mr. MULHOLLAND.—The number of Divinity Students decreased after the Church Act 1—Yes. The

average number of Divinity Students, in both Senior and Junior Classes, in the seven years before 1869, was 143. In the seven subsequent years the average number was 169.

401. Was that accompanied by a diminution in the total number of students in the College?—It was, but only to a slight extent. The total number of students is given in the Dublin University Calendar. For the seven years ending in 1869, the average number of students was 1,390. For the seven years after that date, the average number was 1,177.

WEDNESDAY, NOVEMBER 7, 1877.

Present:—Right Hon. the EARL of BELMORE, K.C.M.G., in the Chair; Right Hon. MOUNTFORT LONGFIELD, LL.D.; Right Hon. S. W. FLANAGAN; A. M. PORTER, Esq., Q.C.; Rev. J. A. GALBRAITH, F.R.C.D.; JOHN MULHOLLAND, Esq., M.P., D.L.

Nov. 5, 1877.

Right Hon. M.  
Longfield,  
LL.D.

401. Lord BELMORE.—I believe, Judge Longfield, that you have full information as to the method in which compensation should be valued on a claim by a patron of a living for the loss of the Advowson, and of the principles upon which it was valued in the case of claims made by the College?—I have examined carefully the claims put in by the College and the decision of the Commissioners on the claims, and the reference to the actuary. The facts stated for the actuary were the net income of the living, the age of the Incumbent, and the fact that the patron had no residence in the parish. The first case came on for settlement before Dr. Hall

and myself, and in the judgment which we gave we laid down the principles on which the valuation should proceed, and we stated certain cases in which an increase ought to be made in the valuation. One of the cases was where the patron was resident in the parish, and, therefore, where it was important to him to have the nomination of the clergyman with whom he and his family were in future to have frequent intercourse. The second case was where the patron was about to appoint a member of his own family to the living. We thought that the compensation ought to be higher in that case.

Rev John W.  
Stukis, D.D.,  
SECRETARY.

The Reverend JOHN W. STUKIS, D.D., SECRETARY.

Dr. STUKIS.—I have been invited by the Secretary of the Commissioners to make some statements; first, as to increase of the Fellows; secondly, as to the value put on the College Livings; and thirdly, as to the Divinity School. I should state that I do not appear as the representative of any body of the Fellows.

402. Lord BELMORE.—First, will you be so kind as to make some observations as to the increase of the Fellows, as derived from the Tutorial Fund?—I have taken a great deal of trouble in making out the statistics of the Tutorial Fund from 1839 to 1876, and I can give the amount of it in any one year, or the average amount for any number of years. In the eleven years from 1839 to 1849, inclusive, the total of the Tutorial Fund was £131,890, being an average of £11,990 yearly.

403. Why do you take those particular years?—The Tutorial Fund was first instituted in 1834, before which time the tutors were paid by their own pupils. In 1834 an arrangement was made which did not come into full force until 1839. I take the first eleven years, because there was a marked decline between 1849 and 1860, and then the next twenty-seven years, 1860-1876, because in them the numbers did not vary to the same extent, and although they were in some years somewhat higher than the average, and in others somewhat lower, the differences from the average have not been very great.

404. What is the second period?—The second period is from 1850 to last year. The first period is from 1839 to 1849 inclusive, and the second period from 1850 to 1876 inclusive. The average of the Tutorial Fund for the first period is £11,990. The total for the twenty-seven years from 1850 to 1876, is £256,563. That is an average of £29,861. That was a serious fall in the average amount of the Tutorial Fund from £11,990 to £29,861, or twenty-two and a-half per cent. That fall was per saltum between the years 1849 and 1850, and it has never since recovered that decline. I attribute that sudden and heavy diminution of the fund to two causes. In the first place, in 1847, 1848, and 1849, the country suffered from a severe famine. A large number of students who were at school were removed from school and entered as Students of the University, before the arrival of which young men

came here for Matriculation, so that the outturns in these years of distress were abnormally increased, and consequently, as the numbers in the schools declined, there was in the following years a marked diminution in the entrance. That arose from the boys not being retained at school.

405. What advantage did the parents derive from taking their boys from school?—The College fees are small as compared with the fees in the higher schools. The parents kept the boys at home and sent them up to their contributions as non-resident students. Thus their sons got their degrees, and they were posted into professions. With the sufferings of the country our income temporarily increased. Another reason for the drop of over £2,600 between 1849 and 1850, was the opening of the Queen's Colleges. That was about the time when they commenced to receive students. From 1850, up to the Crimean war, the average of the Fund was £28,147. From that to 1859, which includes the years of the Indian mutiny, the average was £27,771. Then it increased and rose to £30,300 in 1867. Since that time it has fallen again to a certain extent, but it is now showing signs of increase. Since 1859 it has been sometimes a little over, and again a little under the average.

406. Mr. MULHOLLAND.—What was it last year?—£29,333.

407. Mr. GALBRAITH.—From the information which you have given us, the Tutorial Fund came into existence thirty-seven years ago, and you have called the attention of the Commissioners to two periods?—Yes, one of eleven years and another of twenty-seven years, and the fall in the average of those periods of 23½ per cent.

408. Can you state the principle on which the Tutorial Fund is divided?—As the first it was divided among three grades or classes of Tutors. There are nineteen Tutor Fellows—five are in the Senior grade, nine in the Middle grade, and five in the Junior grade. The incomes of the Tutors in the several grades were in the proportion of 4, 3, 2. The Tutor in the Middle grade receiving one-ninth of the whole fund, irrespectively of the number of his pupils. Then in 1859 a different plan was adopted by a decree of the Board. Each Student pays £16 16s

annually to the College. The half of that sum, viz., £8 8s is paid to the Tutorial Fund, out of which the Tutor of the Student receives for himself £1 1s, and the remainder, £7 7s, is divided as before among all the Tutors, so that, since 1855, each Tutor has an interest in his pupils to the extent of one-eighth of the Tutorial fees paid by them.

409. Can you give an instance or illustration as to how that system of paying £1 1s to the Tutor of the Student acts?—In my own case, in the years from 1855 to 1870, I gained by the new plan over the old plan £884.

410. In how many years?—In seventeen years, from 1855 to 1870, I gained £884; calculating simple interest at 5 per cent. on that sum as it accrued, I gained altogether £1,108 by the change from the old to the new system. When the Tutorial system was first adopted in 1834, there was a smaller number of Tutors, only fifteen. Five Tutors were added by a Queen's letter in 1840. Up to 1840 the fund was divided among fifteen Tutors, of which five were in the Senior grade, five in the Middle, and five in the Junior grade. After 1840 the fund was divided among nineteen. There were five in the Senior grade, nine in the Middle grade, and five in the Junior grade.

411. Judge LONGFIELD.—What was the falling off in the fund during the Crimean war?—In the years 1854, 1855, and 1856, the fund was as follows:—In 1854, £3,500; in 1855, £3,313; in 1856, £3,140, and then it rose in 1857 to £3,631.

412. Can you give the Commissioners information as to what the income in the several grades was in the earlier period before 1840, and in the still earlier period when there was a smaller number of Tutors?—I can give the average of the incomes of the Tutors in the three grades in the eleven years from 1839 to 1849. The average income of the Senior grade was £252, of the Middle grade £287, and of the Junior grade 331. These are the averages of the incomes of the three grades for those ten years. At that time when a Fellow was elected he became at once a Tutor, and he participated in the payments made by students entering after he became a Tutor. Thus, in the first year of his Tutorship he divided only in the payments made by students of one class or year, in the second year in the payments made by two classes, in the third year in those by three, and so on. That has passed away since 1858.

413. Mr. GALBRAITH.—The sums you have mentioned are totted from items in the Junior Bursar's books?—They are taken from the Junior Bursar's books. In 1819 the actual average of the Senior grade was £259, of the Middle grade £244, of the Junior grade £429. Then in 1850, when there was a stop, the income of the Senior grade was £736, that of the Middle grade, £548, that of the Junior grade £365, so that there was there a diminution of nearly £100 in the income of a Tutor of the Middle grade in that year. But these sums do not represent the whole income of the Tutors; they are paid in addition their stipendial salary as Fellows, and they are also paid salaries for Divinity, Hebrew, and Honor Lectures, and fees for examining; also the salaries of such college offices as they may hold—namely, Junior Dean, Proctor, Censor, Reader in College Chapel, Freshet, &c.

414. Judge FLANAGAN.—Can you give the actual sum in any particular year—take for example, 1857—in that year what was the sum payable to a Tutor in the Middle grade?—I have it here fortunately. In 1857, £521 was paid to a Tutor in the Middle grade having an average number of pupils.

415. Out of the Tutorial Fund?—Yes. His Tutorial income would be £521.

416. What sum would be paid to a Fellow of the Junior grade?—He received on an average two-thirds of £521.

417. Lord BELMORE.—That would be about £350. What was the income of a Fellow in the Middle grade in 1868?—£403.

418. To that, add £100, and that would make it £503?—Probably £100 would be too little.

419. Judge FLANAGAN.—Have the Fellows the choice of chambers?

Mr. GALBRAITH.—The Provost gives away the chambers.

420. Judge FLANAGAN.—And he entertains any claim?

Mr. GALBRAITH.—Yes; Fellows may compete for them.

Dr. Stokell.—I would wish to correct my former answer, that £100 would be the average of the additional income over and above each Fellow's share of the Tutorial Fund. I find that in 1874 the average addition to the Tutorial income would come close to £200.

421. Lord BELMORE.—That would make the income of a Fellow in the Middle grade in 1857 about £721?—Possibly not so much, as the payments to the Junior Fellows from the funds of the College have increased somewhat since 1857.

422. And in the Junior grade about £520?—I would say, looking at this book, that the average payments to members of the Junior grade in 1874 was £517 in addition to their tutorial income.

423. Mr. PORTER.—And does that continue so still?—I should say so.

424. Judge LONGFIELD.—Has the income of the Fellows increased within ten years?—It has certainly increased. I can tell it in my own instance.

425. Lord BELMORE.—Take your income in the years 1856, 1866, and 1870?—I received in 1856 from the College, £120 16s. 8d.; in 1860, £114 11s. 8d.; in 1870, £132 10s. 8d., independently of what I received from pupils. Taking the income of the Middle grade at £521 in 1857, I think it is not unfair to add £114 in order to calculate the total income in 1857.

426. What do you attribute that to?—First, more was paid for examinations. There were also a few small offices created in the interval, and the salaries of officers have been slightly increased. For instance, I held the office of Reader in the Chapel, the salary of which is £30 a year.

427. Mr. MURDOCH.—What was the amount of the income of the highest grade in 1876?—I could tell you exactly what mine was. I was in the highest grade, and I can tell what my income was last year. In 1876 I received more than others, because I happened to have more pupils than other Tutors. I received last year, £736 18s. 9d. from the Tutorial Fund, and in addition to that I received from the Bursar, £339 16s. I received more than others from the Tutorial Fund because I had more pupils.

428. Does that include the whole?—It includes the whole.

429. Does that include chambers?—I have not taken chambers into account. In order to arrive at the number of pupils which each Tutor may enter in any year the average number of entrances for the preceding three years is taken, and divided by the number of Tutors who receive pupils, and then the quotient is increased in the proportion of 3:2. The average number of paying pupils which each Tutor has under his care is about eighty.

430. Lord BELMORE.—Could you give an estimate of what the value of rooms and commons is to a Fellow who wishes to reside?—Commons are worth 15s. a week, or 2s. 3d. a day. The rooms for an unmarried man residing in those ought to be worth £30 a year.

431. That would be about £70 a year?—Rooms and commons are worth £70 a year.

432. Then £1,030 a year would be the value of your income if you chose to reside?—Yes.

433. Judge LONGFIELD.—Eighty was what you said was the average of pupils for each Fellow, and forty pupils above the average is the most that a Fellow can be allowed to take?—Yes.

434. Then 40 extra is all you could have?—Less  
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Dec. 7, 1887.

Rev. John W.  
Stokell, &c.,  
F.R.S.

Nov. 1, 1877.

Rev. John W.  
Stakely, Esq.,  
Rector.

year I was paid for 374 half-yearly payments of my pupils, which would amount to 137 pupils, so that I had 100 over the average; but that might have arisen from replacements.

435. Lord BELMONT.—From replacements?—Many that have gone off the books come back again to their Tutors. Students also enter frequently in June and October, and join the existing Junior Freshman class, and so become Senior Freshmen in the next year. Such Scholars pay up the fees already paid by their class and this adds to the income of the Tutor under whom they enter.

436. Mr. GALBRAITH.—You have experience on the question of the College Living, on which we are anxious to have your evidence, particularly as to the mode in which their value was estimated?—I may say that I took a great deal of pains in estimating the value of them twenty-five years ago. I compared my estimates with the accounts of my friends who took the livings and they were generally correct. To estimate the tax paid to the Commissioners you must take the value of the parsonage and the value of the lands, add them together—find the charge on the globe-house, and allow 5 per cent. on the part of this recoverable from the successors in the parish, and 10 per cent. on the portion which is sunk and not so recoverable. I assumed the poor rate at one shilling in the pound upon the parsonage, and sixpence in the pound upon the rest of globe-lands. You deduct these along with curates' salary and other charges upon the benefice from the gross amount in order to obtain the net taxable value ( $x$ ), then the tax was  $\frac{2x}{100} \times (x+5)$ .

The net value of the living is then found by deducting the Ecclesiastical Tax from  $x$ . Take Cloughy—the gross value of Cloughy was £1,047. The charge on the Globe was £1,015—there was one curate to be kept, one church to be served. The tax to the Ecclesiastical Commissioners, £313 6s. The net value is £1,135 and a house. That is after payment of all charges, poor rate, and the tax on the living. £1,135 and a house was the net value.

437. Did you take into account the agent's fees?—No; as a matter of fact I did not take into account the agent's fees. The agent's fees would be five per cent. That would be £50 a year.

438. Lord BELMONT.—£1,135 and a house—does that include the whole of the Globe land?—I charged as if it was let up to the landlord. Cappagh became vacant in 1845, the value of that benefice was taken in 1843, I revised it, and the valuation was then accurate. The gross value was £1,350. There was a charge of £2,800 on the Globe-house to be paid. There were two curates, and two-thirds of the salary of a third to be paid by the rector, the remaining one-third was paid by a chaplaincy. There were three churches to be served. £798 was the net value of the living. The benefice of Cappagh on the last occasion was vacant just after the famine. The poor rate was high, the landlords throughout Ireland could not get their rents, and for better land than the Globe lands was in other parts of the country, at that time difficult to be let. A good deal of the rent of the land was paid in labour, not in money. That was considered an unsatisfactory arrangement, so that although the net value was stated at £798 it might not be anything like that. The Clergyman who accepted should pay £2,800 charge on the Globe-house, and it required at least another £1,000 to furnish the house, stock the land, and pay institution fees. £3,800 was a serious sum for a young man to be obliged to provide when entering a benefice.

439. When he vacated the living or died, what would his family receive?—They would receive £2,100.

440. That was under the old system?—No it was under the new system.

441. Ardara.—The gross value was £1,377. There was no charge on the house. It was a very old

house, and was taken down. There were two curates and the net value was calculated at £308.

442. The clergyman had to build a house?—Yes, and he did expend a large sum on building one.

443. Deane.—The gross value was £1,040. The charge was £300. The net value after paying the tax was £742.

444. After deducting a curate's salary?—Yes. There was one curate to be paid, and one church to be served.

445. That is in the town of Clough. Did you take into account the chaplaincy of the parsonage?—No, because without the chaplaincy a curate could not be got for £50 a year, which was then the usual salary in country parishes. The curate should get the chaplaincy. Practically the clergyman got no benefit from it. Besides, I think the parsonage is in the parish of Cappagh.

446. Tullygaish.—I took particular pains to find the value of this living. I got the items from Dr. Ashkin. He gave me the rent-charge book and told me what he received. These items are founded on his actual experience.

447. In what year was that?—In 1853. The gross value of Tullygaish was £1,204, the charge on the Globe £1,167. Two curates were to be kept. The net value after deducting tax was £734. The tax was £122 10s.

448. Derryvalley.—I refused to accept the parish of Derryvalley myself, and before I refused it I took every pains to make out the real value of it. This is the value I put on it.

449. Mr. GALBRAITH.—In what year?—In 1848. This was the value which I put on it when it was vacant, and Mr. Lett accepted it. The gross value was £1,094, the charge on the Globe-house was £266. I think another charge was put upon it by Mr. Lett. There were two curates and two churches. The net value was £703, and the house, of course.

450. None of these figures included the house?—No; but they include the land up to the house.

451. Mr. McHOLLAND.—Compared with Deane and Derryvalley is inadequately compensated for. It is returned at less than the gross value?—It is down here as £883.—The difference is more than £300. The gross value of Derryvalley is £1,094, nearly £1,100.

452. Lord BELMONT.—Do you know the date on which the valuation was made?—No, I do not. I know that the College calculation of the value is wrong.

453. Mr. GALBRAITH.—You assigned £900 as the value of Ardara. When Mr. McTear accepted it in 1847 what was the income of the middle grade?—A little over £130. In 1849 it was £164, £439 was the income of the junior grade. In 1847 Dr. Salmon was a Tutor in the junior grade. I took his case; after having been a tutor five years, he had a Tutorial income of £709. When he was ten years a Tutor, he had only £539 from the Tutorial system, and when he was fifteen years a Tutor his income from the same source was £434.

454. Judge LOVETT.—How much did you say?—Dr. Salmon got his Fellowship in 1841. At the end of five years he was in the Middle grade, and his income was £709. At the end of ten years in 1851 his income was £739. He was still in the Middle grade. In fifteen years, that would be in 1856, he received only £434 from the Tutorial Fund.

455. Was that entirely from the falling off in the number of students?—Altogether so. At that time the number of pupils which each individual Tutor held was not taken into account in estimating his Tutorial income.

456. Lord BELMONT.—Have you any remark to make as to the Divinity School with regard to the proposed separation of it from the College?—I sent in my views in a paper which I was mainly instrumental in drawing up, stating that I was strongly opposed to

the proposed change in the arrangement of the Divinity School. My idea is, that it is for the benefit of the Divinity School, and absolutely necessary to its efficiency, that its connexion with the College should continue. The plan which I propose is that a Board should be formed upon a Professorship or Lectureship is to be filled up, consisting of the Provost and the seven Fellows in order of seniority, who are members of the Church of Ireland, and I would place the government of the Divinity School in this Board; I would give to the two Archbishops a veto in any appointment made by this Board. That would be sufficient to render secure the orthodoxy of the person appointed. I do not think that the Irish Church or the English Church would be satisfied with anyone who was strongly objected to by either of the Irish Archbishops. With regard to the proposal of the Divinity School Committee of the Irish Church Synod, and considered by the Board, that the expenditure of the Divinity School out of the College funds should be capitalised and placed in trust for the benefit of the Divinity School if kept in connexion with the Board as a separate fund—though I do not much approve of it I should be satisfied provided that the Board of Trinity College, or one which I have specified, should have the government of the Divinity School. I have strong views against a separation of the Divinity School from the College. We have a great number of Roman Catholic Students who live on terms of friendship and good will with their Protestant fellow students; and I am satisfied that if the religious character of the College was interfered with we would lose many of our Roman Catholic pupils, whose parents are pleased with the religious tone which influences the teaching of the College, even although their sons do not attend the services of the chapel, or participate in the religious instruction which is given at school dinners to the students who are members of the Church of Ireland. In fact they prefer to have their sons members of a College where religion is respected and suffered upon the majority of the students, rather than of a merely secular institution. I need not say that they are satisfied that the religious views of their sons are always respected in the most careful manner.

455. Mr. MULLINGHAM.—Your objection to the removal of the Divinity School is rather to the removal of them to the management of it.—To both; I think myself that an independent body like the Board of Trinity College would make a better board than an extreme body who probably might be influenced by strong feelings one way or the other, especially if it was merely a Divinity School for the Irish Church. We have many Divinity Students from England, several Presbyterian Theological Students; and I

know of one Wesleyan Minister who has gone through the Divinity course not because he has the slightest idea of leaving the Wesleyan body, but because he wishes to be perfectly well instructed in Theology. These men would get attend the Divinity School if it was separated from the University and was made the Divinity School of the Church of Ireland. Lastly two or three pupils who are intended for the ministry of the Presbyterian Church, have taken a period of instruction in the Divinity School. They are allowed to take their first year here and then they complete their course in Belfast. I do not believe that they would come to the School if it was attached to the Irish Church and separated from the College.

457. Judge LOWRY.—Should any restriction be imposed that the Board which you suggest should have a certain number of members of it in Holy Orders?—I do not think so. I think the appointments of lay members of the Board would be as considerations and as carefully weighed as those by clergymen. The English Bishops receive the testimonials of the Professors of Divinity because they belong to the University. I do not know that they would respect it if it was merely the certificate of the Divinity School of the Irish Church.

458. Have you considered Dr. Salazar's proposal that it should be managed by a joint Board?—I should be satisfied with a joint Board consisting of the Irish Bishops and the Board of Trinity College. I think that would give satisfaction, because the School would still be a University School and not belonging to a particular Church.

459. Lord BELMONT.—Is the teaching principally Theological, or does it include controversial points?—It includes the Roman Catholic and Protestant controversies.

460. As a matter of fact do many of the clergy of the Presbyterian Church or the Wesleyan Body proceed to a degree in Divinity?—Not yet. Up to this nobody could take a degree unless he was in Priest's Orders. He should preach a sermon in the College Chapel before he could get the degree of B.D.

461. Could not a sermon be preached in the College Chapel by a person not in orders?—He might formerly have preached a common place. Every resident teacher was formerly bound to preach a common place in his turn. But a common place is not a sermon.

462. Mr. PORTER.—Is there any College record of the members in the Divinity School in different years?—No. I may mention that in the school we don't ask any one to sign the 29 Articles. I may examine a Wesleyan minister upon them, as upon the Decrees of the Council of Trent, but he is not asked to sign them or to assent to them.

#### THURSDAY, NOVEMBER 8, 1877.

Present:—Right Hon. the EARL of BELMONT, K.C.H.G., in the Chair; Right Hon. MOUNTFORT LONGFIELD, M.D.; Right Hon. S. W. FLANAGAN; A. M. PORTER, Esq., Q.C.; Rev. J. A. GALBRAITH, F.R.C.S.; JOHN MULLINGHAM, Esq., M.P., D.L.

#### REV. SAMUEL HAUGHTON, M.D., F.R.C.S.

Dr. HAUGHTON.—I wish to speak on one point only—to express my own opinion and that of other educated members of the Church upon the importance of retaining the Divinity School within the walls of Trinity College.

463. Lord BELMONT.—Will you favour us with your views on the subject of the Divinity School?—I do not speak as a Fellow of Trinity College, because I think that the Fellows of Trinity College having expressed their wish to have the College secularized, have no right to complain if it be secularized to the extent of removing the Divinity School. They have no right to complain on the ground of injury to the College, or of its bringing fewer students to it. It is not open to them to object on that ground; but as

members of the Church of Ireland we see the importance of having the Divinity School within the College, and the very great and serious injury which will result from its being separated and becoming a theological seminary outside the College and unconnected with it.

464. Will you mention the benefits which will arise from retaining the Divinity School within the College?—It appears to me that the struggle which in future the Church will have to maintain will be the struggle between Science and Theology, and if our future clergy are to be enabled to take part in that struggle, and in the questions of the coming day, they must know what Science is before they can argue against statements of scientific men. As a Professor for twenty-five years of the science of Geology, which

Nov. 5, 1877.

Rev. John W. Foster, M.A., F.R.S.

Nov. 8, 1877.

Rev. Samuel Haughton, M.D., F.R.C.S.

Nov. 8, 1877.  
 Rev. Samuel  
 Haughton,  
 M.D., F.R.C.D.

It is thought by some to be hostile to religion, I have had much experience of the benefit obtained by Divinity Students from attending my lectures. It gives them a clear comprehension of what Geology is, and how a complete knowledge of that science enables an educated man to judge out that there is no hostility between it and religion. That is a strong reason why future clergymen should be educated within the walls of the College. Another reason is, that I have a very strong objection to separate Theological Colleges. In the Roman Catholic and Greek Churches there are separate Theological Colleges. They always lead in my opinion to extreme views. The future clergymen should be characterized by moderation, and that is produced by contact with equally educated men who are not going into the Church. In the present condition of the Irish Church I should dread that a Theological seminary started outside the walls of Trinity College would possibly fall into the extremes of low church dogmas; clergymen imperfectly instructed in it would have to fight against giants, themselves unprovided with the true weapons for a contest with the opponents of all religions. I consider that a low church clergyman would be especially unfit and unable to deal with such opponents. The tendency of Theological Colleges is always to an extreme, either to low church expositions of particular dogmas, or to high church limitations of the ceremonies of another Church, which ought to be out of place in the Church of Ireland. What I dread is, that exclusive education which has a tendency to extremes, and which will develop an absence of the spirit of moderation. Above all, the absence of the training which nothing but contact with educated men will give. The result of separation would also be to prevent Students from England, who have hitherto come in considerable numbers, from coming in future. English Students do not come to the Divinity School alone. It is the University which attracts them. A Divinity School in connection with the Church of Ireland would not have the same attraction. What brings Englishmen here is the celebrity of the education in our College.

463. Do you think that the Students from England would be materially reduced merely by the Divinity School being removed from the College?—I do not think that the Divinity School is the best managed school in our University, but it is suited to be conducted on a very good system. We are now distinguished for other branches of science. Students are attracted by the Medical School, and the celebrity of the Professors who instruct in it.

464. Judge FLANNAGAN.—What you appear to op-

posed from a separation is, the Divinity Students not having a secular education?—They certainly would not.

465. Is there any reason why the heads of the School should not make it a condition that the Students should have had a secular education?—That would be to make an impossible condition. Suppose the heads of Maynooth College ordered that the Students should have a degree from Trinity College, they could not carry it out.

466. What difficulty would there be—could not the Divinity School make it a condition that the Students should be graduates of Trinity College or the Queen's University or Oxford or Cambridge?—A degree with residence might remove the objection.

467. Is not residence of Students in Trinity College the exception?—Not in the case of Divinity Students. Medical Students also must reside. What is in my opinion wanted is the training of clergymen of the Church for the contest which I have mentioned. You must have the clergymen scientific men or the Church will be at great disadvantage, and I think men would be better trained in a Divinity School connected with the College than in a separate Theological seminary. I think there can be little doubt that the tendency of a Theological seminary would be downwards.

470. Mr. MURKILLAN.—With regard to the management of the school have you formed any opinion? By whom should it be managed?—I have a strong feeling in favour of what Dr. Salmon proposes—a joint Board. From my own knowledge the University Council works unacceptably well.

471. Judge FLANNAGAN.—You think the University Council works very well?—It works very well. There are some defects in it which we hope to get rid of—but it has done a great deal of valuable work.

472. Suppose that by the gradual working of Power's Act, the Fellows should all be of a religion different from the Church of Ireland or of no religion?—That is looking far ahead to a very remote time. That state of things could be dealt with when it arises.

473. By an Act of Parliament or how would you deal with it?—I think Dr. Salmon's plan is that certain classes should be represented, and that there ought to be members named by the Board. I would trust the Board of Trinity College. Whatever might be their religious opinions they will always be able and respectable men, and I would trust them to act loyally towards the Church of Ireland, and to nominate good men for the school.

THE REV. H. R. POOLE, M.A., F.R.C.D.

Rev. H. R.  
 Poole, M.A.,  
 F.R.C.D.

Mr. POOLE.—I wish your Lordship and the other Commissioners to understand my purpose in coming before you. I am anxious with regard to the arrangements which may be made, and the measures which may be deemed to be applicable in dealing with the Divinity School; and though my views are not shared by the other Fellows, I entertain them so strongly that I thought it right to avail myself of this opportunity of expressing them.

474. Lord BELMONT.—Will you state your views with regard to the Divinity School?—I should wish the school to continue its work within the buildings of the College, and that the students of the College should have an opportunity of attending the instruction given in connection with it; but I am entirely opposed to its being under the direction of the Board of Trinity College. There is every reason to expect that the future Fellows will be laymen, while they will not be required to profess any one form of religion, therefore, as a Churchman I should have a great objection to the management of the Divinity School being given to them. I am also anxious to prevent any break in the continuity of the Divinity School caused by a sudden change in the body of Professors and Lecturers, which might arise, if without any preparation the

whole management of the school were suddenly transferred to a body totally unconnected with Trinity College.

475. What is the exact control of the Board over the school?—Practically the Regius Professor and Archbishop King's Lecturer in Divinity, are masters of the working of the school. Although the Board appoint to the Professorships, and without the Board the Professors have no actual power, still the Board, on the other hand, are always guided by, and follow the counsel of the Professors.

476. Does that counsel relate merely to the subjects on which the lectures are delivered?—The subjects; and also the appointments of assistant Lecturers. The Board have the internal administration of the school; but even in that they are influenced by the recommendations of the Professors, though the elections are made by themselves. So that ultimately the Professors have really had the control of the school.

477. Are the Board bound to appoint Fellows as assistant Lecturers?—In practice, if there is a Fellow competent to fill it he always has got the appointment as a matter of course; until recently when the supply of Fellows failed, I do not recollect such an appointment outside the body.

478. Will you name some who are not Fellows?—  
Dr. Gibbins and Dr. Walsh. Dr. Gibbins is also  
Professor of Ecclesiastical History, but his tenure of  
that office is not necessarily permanent.

479. Do I understand you to say that he is Pro-  
fessor of Ecclesiastical History and assistant Lecturer?  
—Yes.

480. The Professorship of Ecclesiastical History is  
conferred to be in connexion with the Divinity  
School?—Certainly.

481. He is not a Fellow of the College?—He never  
was a Fellow at any time.

482. What plan would you propose for the future?  
—The first thing indispensable is, that the Professors  
and Lecturers appointed in connexion to the present  
should hold their positions permanently, so as not to  
be changed, after they are first appointed, on the transfer  
of the control of the Divinity School to the General  
Synod. I think it will be essential to securing this  
object that the future appointments should be made  
under a statute passed by the General Synod of the  
Church.

483. Do I understand you to wish that the govern-  
ing body of the school should be the General Synod?  
—I think it is inevitable; but my own idea and wish  
would be that it should be the Bishops. But what-  
ever body the General Synod interests it to must have  
the government of the Divinity School.

484. Would you give it absolutely to the General  
Synod and not to a body appointed partly by the  
College and partly by the General Synod?—I think  
that for the present the absolute transfer to the  
General Synod would be undesirable. I am sure that  
those who have been working as college men under  
the Board would have a disinclination to change the  
control of the Board, to whom in past time they have  
been responsible, for one wholly unconnected with  
Trinity College. But I think a mode might be de-  
vised which would confer to the values of all parties.  
In future a body should be appointed by the  
General Synod who would have the election of all  
the professors and lecturers; but I think that the ad-  
ministration of the school should, for the present, be  
given to a body in which I would venture to suggest  
there should be three or four Fellows, combined with  
the two principal Professors, to whom, in conjunction  
with two or three representatives nominated from  
among themselves by the body chosen by the General  
Synod for the future government of the Divinity  
School of the Church of Ireland, would be intrusted  
the *ad interim* government of the school. I think in  
most cases that the College men would have no dis-  
inclination to work under such a body, in which their  
own men would be really represented. The difficulty  
might be thus got over.

485. Would you give the bishops the government  
of the school?—My wish would be that the bishops  
should constitute the governing body. I would give  
the whole of it to them.

486. Suppose the bishops had not a very large voice  
on the Board, do you think that they who have to or-  
dain candidates for holy orders would be satisfied with  
testimonials of the professors?—My anxiety would  
be that they should constitute the whole Board, or  
nearly the whole Board, as appointed by the General  
Synod. I should decidedly say that the bishops should  
have an influential voice in the appointment of the  
Divinity Professors and Lecturers.

487. (To Judge LORRISTON.)—I think that the body  
to be appointed should be very liberal, and should  
have regard to the feelings of the College men, who  
would like to see that they were not changing masters.  
Some difficulty would arise at first, but I think that  
a prudent *ad interim* Board would be able to effect the  
change gradually without a direct break off. Nothing  
could be worse than two Divinity Schools. I may  
add that I further suggest, with a view to making the  
transfer of the government of the Divinity School to the  
General Synod more easy, that provision might be  
made that no officers of the present Divinity School

should be removed, except under such circumstances  
as would at present justify their removal, or on their  
stipulating the position of Senior Fellow. That they  
should not be required to increase the amount of work  
which they at present perform, or to undertake duties  
different from their present ones; and that in case these  
officers, were any of them removed on other grounds,  
he should be entitled to his salary as long as he might  
otherwise have retained it.

488. Judge LORRISTON.—Would the bishops have  
confidence in the school if they had not a potential  
voice in the selection of the Professors?—They have  
no voice now, and yet hitherto they have been satisfied.

489. I believe the bishops require the testimonials  
of the school, and that circumstance has considerable  
weight in the arrangement of the school. Consider-  
able weight, and they might put on considerable pres-  
sure, but it would be impious to put them to a pos-  
sion of having to exert direct pressure. I should like  
the school to accede to the views of the bishops, and  
that it should always comply with their wishes, so  
that the testimonials should rank high in the estimation  
of the bishops. The situation here has been much  
as to meet the general approval of the bishops. In  
my judgment, the future Board of the College would  
be absolutely objectionable, on the ground that they  
might not give satisfaction to the bishops. From the  
nature of things, it is probable that the future Board  
may be all laymen.

490. Do you think it is well to permit Professors  
to hold livings?—Dr. Gibbins has a living?—I do not  
think that any person who holds the position of a  
Tutor or of a Professor, while a Fellow of College,  
ought to be allowed to have a living. I would be  
distinctly opposed to it. I think the university would  
be not to discharge the duties of either position.

491. Judge FLEMING.—I understand you to pro-  
pose an *ad interim* Board?—Yes.

492. How do you propose to limit it?—It would  
come when the two principal Professorships had been  
appointed by the authority of the General Synod.

493. When that *ad interim* Board would determine  
the Fellows would have nothing to do with the School?  
—Nothing whatever.

494. Lord BRIDGES.—The future Board would  
consist of persons appointed by the Irish Church?—  
Entirely.

495. Are the assistant lecturers under the direction  
of the Regius Professor?—Very considerably. His  
own assistants receive directions from him, and are  
responsible personally to him, and then to the Board  
for the discharge of their duties. They are his sub-  
alterns; so are the assistants of Archbishop King's  
Lecturer to him.

496. Do you think that in the event of a vacancy  
in either Professorship, the new Professor would be  
as acceptable to the assistants as the former one, and  
would remain in the same relation to them?—I do,  
provided he was as independent as every Professor  
now is, and that his assistants were not obliged to  
undertake new duties or additional responsibilities  
which were not on them before. I would not object  
to his seeing to the discharge of their present duties,  
but I would object to new duties being imposed on the  
present assistants, but I do not anticipate that. The  
Professors are nearly of the same age, and may actually  
be expected to continue for a considerable time, and to  
retire about the same period.

497. Mr. PORTER.—As I understand your proposal, it  
is that there should be at present an *ad interim* Board,  
and after that is determined the appointment of the Pro-  
fessors should rest in the Board?—The appointment, on  
vacancies caused by the present men should rest in a  
body chosen by the General Synod, corresponding to  
that to which, after the determination of the *ad  
interim* Board, the whole management of the School  
should pass.

498. What connexion would the Divinity School  
then have with the College?—It would really have  
none, except that it would meet in Trinity College, and

See A. 1271.

See H. R.  
P. 10, 11, 12.

Dec. 6, 1877

Rev. H. R.  
Foster, M.A.,  
R.W.C.M.

would have the advantage of the use of lecture-rooms, and of the students in Divinity having the opportunity of entering Trinity College and attending the lectures in Arts, and this would give a certain amount of position to the school. I may mention that the bulk of the students will probably for a long time consist of members of the Church of Ireland, and it strikes me as a natural thing that the College Chapel should be kept open for the purpose of religious worship. It appears to me also that, if a moderate sum were set apart for the maintenance of Divine worship, the Divinity Lecturers might become readers and preachers in the College Chapel, and they might be further employed as Catechetical lecturers and examiners; and possibly, in future, take a share in the normal oversight of those students in College who may be members of the Church of Ireland. This might bring the lecturers into connexion with the College. Such a system would have the advantage of giving a position to the future lecturers. We have relaxed the rule which hitherto existed that we would not give a Divinity Testimonial to any other than a member of the College, and also a guarantee of our University, or a graduate of Oxford or Cambridge. Recently we have made arrangements to admit men to attend the Divinity School if their names are on the College books, while they are not required to go through the Arts course. It occurs to me that it might be an advantage were the Synod to require the students in the Divinity School, so far as can be done, to keep their names on the books of Trinity College with a view to a degree in Arts, if they have not taken one in some other University.

499. JUDGE LEAFHURST.—Have they to pay for the two years the same fees as the other students, £15 16s. 1—They have, and also, I believe, the entrance fee of £15.

500. LORD BELMORE.—Are they Freshmen?—No, naturally they would be permanent Junior Freshmen. In relation to the relaxation of the rule, I should state that it rests with the Regius Professor to admit on special grounds in each case to the privilege of those joining the Divinity School. I may mention one thing more: these students of Trinity College who may be members of the Church of Ireland might attend catechetical lectures given by the future Divinity lecturers, so as to continue that Scriptural teaching which is at present given by the Fellows; and in that way the connexion of the College with religion might be kept up. It was not the intention of the recent legislation to exclude religion. It was only intended to open the secular offices connected with Trinity College, so as to exclude religious tests, to all who were otherwise qualified for them. I think the natural conclusion from the observations which I have made is, that the Board of Trinity College should not have the permanent management of the Divinity School.

501. Would you practically allow in future the Synod to appoint the readers and preachers in the College Chapel?—Well, it might be done equally well in this way. The Archbishop of Dublin has been hitherto one of the visitors, and the Archbishop is the proper person to appoint them. I think above all that the bishops should have the potential voice in the management of the Divinity School, but that, of course, is beyond my power.

502. MR. FOSTER.—Was there not an officer in the College called the Dean of residence, who had certain functions?—There is no Dean of residence in Trinity College, in the sense of those in the Queen's Colleges.

503. The tutors may be laymen?—Hitherto the tutors, the great bulk of them at least, were clergymen, until a few years ago. It was usually considered that the tutorial relations were best discharged by clergymen.

504. LORD BELMORE.—What are the duties of the Junior Dean?—Returns are made to him as to the attendance of students at the chapel, students liable to attendance at chapel are subject to fines for neglect in their attendance.

505. What are the duties of the Senior Dean?—He revises the fines and gives his opinion with regard to objections made to them in particular cases by tutors.

506. MR. FOSTER.—The Junior Dean enforces attendance in the chapel?—Yes; and the general discipline of the place.

507. But there is no officer, whose duty it is to enforce attendance on religious instruction?—There are catechetical examiners and lecturers. It is compulsory to attend these in the case of students of the Church of Ireland or Church of England. They send you certain catechetical examinations or terms of lectures to enable them to a degree in Arts. The catechist, who is one of the Senior Fellows enforces this.

508. Unless students belong to either of these Churches they are not obliged to attend catechetical examinations or lectures?—No.

509. Would there be any object in appointing a Dean of Residence?—It would effect a considerable change in its operation. Hitherto the tutors have occupied the position of the Dean of Residence. It is the tutor's business to look after the morals and conduct of his pupils. We never felt the want of a Dean of Residence, on account of the tutorial relation between the tutors and their pupils. Any minister of any religion has free access to the students, but there never was any actual provision in the case of students not belonging to the Church of Ireland or of England for the enforcement of religious instruction.

510. Do you see any difficulty in providing for a Dean of Residence?—I do not see any difficulty in assigning a reasonable salary, and appointing a Dean of Residence with proper authority. I think it is the natural inference from the existing state of things and that it is likely to arise.

511. MR. MURPHY.—Do you say that you recommend a permanent provision for service in the chapel?—Yes. The expense of the chapel is moderate. The choir is the principal expense. I do not see the least necessity for so large expenditure on the choir in the future.

512. The Board may abolish it at any time?—I think so. Formerly it was the duty of every Clerical Fellow to read in turn every morning of our week in rotation. The Junior Dean, then always a clergyman, had charge of all afternoon prayers, and was bound to officiate at them. By the late Act, the Fellows are discharged from the duty, so that now the Board as a matter of necessity, appoint four of the Divinity Lecturers to read, and give them a salary of £50 a year each. As there was not any person to discharge the duty, the Board in accordance with the spirit of the Act made provision for these small salaries.

513. There is nothing in the recent Act to prevent a continuance of these salaries?—Nothing whatever.

514. Have you thought of the objection that the English Church might not accept the testimonial of the new Divinity School?—Our primary consideration is to provide for our own Church. I do not see how we could prevent it. I cannot see any way to meet the objection. I may observe that I am not a member of the Synod.

515. MR. GALLAGHER.—With respect to the past management of the Divinity School, has it met with general satisfaction on the part both of the bishops and the laity?—Certainly. I have sometimes heard complaints, but it has always been from persons of extreme views.

516. And it has always been so managed by the Board of Trinity College?—Certainly.

517. Do you see any objection to leave it in the hands of the Board of Trinity College, considering that hitherto they have discharged these duties in a satisfactory manner, and may do so for many years?—I should have no objection that for several years to come the school should be under their control, except in the matter of appointments, but if, by so doing, it should be supposed that the Board ought to be

the permanent body for the administration of the school, I should object to it. I admit that within certain limits it would be safe, but I should decidedly object that it should be continued under the present legislation should be reminded. It is clear with regard to the administration of the school that it would be for the present perfectly satisfactory. With regard to the appointment of Professors and lecturers in case of vacancies I think they should be all made under the authority of the General Syndicate. The object of appointing an ad hoc body would be to meet

practical difficulties; not with a view to make any alteration in the system of the school, but for the oversight of the discharge of the duties already existing in the case of Professors and assistant lecturers.

518 Mr. PORTER.—You mentioned that the course in the Divinity School was arranged by the Professors?—Mainly by the Professors, subject to the approval of the Board.

519. And that approval is given as a matter of course?—Yes, practically.

Nov. 4, 1877.  
Rev. H. E.  
Fryde, M.A.  
F.R.S.E.

# FRIDAY, NOVEMBER 9, 1877.

Present:—Right Hon. the EARL of BELMORE, K.G.M.G., in the Chair; Right Hon. MOUNTFORT LONGFIELD, LL.D.; Right Hon. S. W. FLANAGAN; A. M. PORTER, Esq., Q.C.; Rev. J. A. GALLAGHER, F.R.S.D.; JOHN MULHOLLAND, Esq., M.P., D.L.

Nov. 9, 1877.

ANTHONY TRAILL, Esq., LL.D., K.B., F.R.S.D., and B. WILLIAMSON, Esq., F.R.S.D., continued.

520. Lord BELMORE.—You wish to give evidence as to the necessity of a scheme of retirement for Fellows in Trinity College in connexion with the Junior Fellows' document?—Dr. TRAILL.—I divided the subjects of the observations I am about to make into four:—First, the necessity of a scheme of retirement; secondly, the special scheme of the Board; thirdly, the Advancement Fund; fourthly, the Divinity School. First, then, as to the necessity of a scheme of retirement:—

521. Will you explain the statement in page 2 of that document, viz.—that during the next thirty years the average duration of a Junior Fellowship will be thirty-nine years, and that in eight cases that period will range from forty-three to forty-five years?—I take the Fellows' ages in 1877, and then write down for every year the value of their lives in the form of a decimal. I then add together as many of these decimal fractions as will give me the integer seven, equal to the number of Senior Fellows. This gives the number of years hence at which it may be expected that any Fellow will be included amongst the seven Senior Fellows. Thus in three years from the present time the chance of survivorship of the eight at the top (excluding the Provost), is 55, 78, 63, 50, 49, 50, 41, 41, the sum of which is equal to seven, from which it is to be inferred that in three years there will be seven survivors of these eight persons. The youngest of these being now aged fifty-nine will, if alive, then be sixty-two, and so he obtained his Fellowship at the age of twenty-four, the duration of his Junior Fellowship before co-option will then have been thirty-eight years.

Again, in fifteen years from the present the chance of survivorship of the sixteen at the top of the list of Fellows is 31, 48, 23, 41, 39, 43, 48, 48, 48, 48, 54, 54, 46, 54, 53, the sum of which is 714, from which it is to be inferred that in fifteen years there will be at least seven survivors of these sixteen persons. The most junior of these being now aged fifty-seven will, then, if alive, be seventy-two, and so he obtained his Fellowship at the age of twenty-nine, the duration of his Junior Fellowship before co-option will then have been forty-three years. The youngest of these sixteen persons being now aged fifty-three cannot on the same calculation expect to become a Senior Fellow before thirteen years, when he will, if alive, be sixty-six; but as he obtained his Fellowship at the age of twenty-two, he will also have served as a Junior Fellow for forty-four years. When this calculation is extended over thirty years, so as to include the list of the Junior Fellows (excepting the one elected in 1877) and tabulated for each individual Fellow, the figures which represent the number of years at present at which each Fellow could arrive at the Board,

counting from the year in which he obtained his Fellowship, are as follows—35, 38, 40, 42, 43, 43, 44, 44, 44, 45, 44, 43, 42, 42, 39, 36, 35, 35, 35, 35, 35, 34, 34, 34, 34; the average of which is 39, and the eight extreme cases are marked thus:— This proves the statement in the document, and it completes the previous table, showing the average duration of a Junior Fellowship for the last 240 years.

The table, when completed, would stand thus:—

Date of Election to Fellowship.	Date of Co-option to Board.	Average Duration of Junior Fellowship.
From 1627 to 1636.	From 1627 to 1730.	5 years.
From 1636 to 1730.	From 1719 to 1730.	16 years.
From 1730 to 1790.	From 1728 to 1807.	18 years.
From 1790 to 1841.	From 1810 to 1816.	23 years.
From 1841 to 1875.	From 1850 to 1907.	33 years.

The above figures not only show an extraordinary period of stagnation approaching in the immediate future, but they also show that even at the end of thirty years things have no prospect of returning to what has been their normal state; for the average duration of a Junior Fellowship at the end of that period will still be thirty-four years.

522. What is the shortest period in which a man was co-opted between the years 1790 and 1841?—I am not sure as to that. The present Provost was co-opted in 19 years, Dr. Moore in 16 years, Dr. Hart in 23 years, Dr. Tolson in 22 years.

523. Judge LORIMER.—Even before the repeal of the Oath Statute, were there not instances of Fellows whose promotion to the Board was long delayed?

Mr. WILLIAMSON.—Yes—for instance Dr. Hare was elected in 1809, and co-opted in 1837.

524. If Dr. Bonney Robinson had not resigned his Fellowship, when would he have been co-opted?

He would have been co-opted in 1843. He would have been 30 years a Junior Fellow.

Dr. TRAILL.—Still in the whole period, from 1790 to 1841, the average is only 23; and it is also to be remarked that these figures only convey a small idea of the real amount of stagnation which exists, and is about to increase in the body of Fellows, because they only show the number of years of service as a Junior Fellow before reaching the Board, but they do not show the number of years each Fellow will remain in each grade. This is a much more serious consideration, because as a Fellow in the senior grade of tutors has a competence on which he can live comfortably at any rate, it does not matter so much to him personally to be delayed in

A. TRAILL, Esq.,  
F.R.S.D., and  
B. WILLIAMSON,  
Esq., F.R.S.D.



Nov. 2, 1871.

A. T. B. Esq.,  
B. C. Esq., and  
B. W. Esq.,  
Esq., &c.

respecting the Board as it does to a Fellow in a lower grade to be delayed in reaching a higher one. Considering the class of graduates from which successful Fellowship candidates are taken, that, as a general rule, each Fellow has been the first man of his class, and more often the pick of the first man of several classes, one might naturally expect that within a few years he should be able to reach a moderate competence. But as matters are going on at present (and they are soon likely to become much worse) each Fellow finds in a few years that he has got into a trap from which he can neither go on nor recede, for it is too late to start on any other profession, nor is there at present any arrangement by which he could do so. Nor is it fair to argue that each Fellow on entering is to be considered in the light of a purchaser with notice, because there is no sufficient public information on the subject, and the general idea of the public is quite the other way, as it is supposed that the office of a College tutor is a very lucrative one. And it is, perhaps, fortunate in one way, that this misapprehension exists, for the inevitable result of fuller knowledge of the matter, amongst those who are likely to be Fellowship candidates, would be, that the best men would at once transfer their energies and their prospects to other spheres where they would have more scope for the one, and more hope for the other, and only second or third rate men would compete for our Fellowships. If the public were to decide whether they would prefer uncollegial third-rate men, or well-paid first-class men to hold the Fellowships of Trinity College, I think there would be very little doubt as to their verdict. The distinction of incomes in the different grades of tutors did very well while promotion was reasonably rapid, but it becomes a crying injustice when stagnation comes. Dr. Shaw, who has only got into the Senior grade of tutors last year, got his Fellowship in 1848. I have been for five years in the Middle grade, and in that period have only got one step. Mr. Palmer, who is still in the Junior grade, has already been ten years a Fellow. I could give many more examples if necessary. Finally, I think the case of the Lay Fellows should now receive the special consideration of the Commissioners, as great inequalities of income exist between them and the Clerical Fellows.

525. Do you think it safe to base these calculations on the ordinary tables of mortality, the number of lives involved being so few?—I am fully justified in doing so for the purpose of showing the necessity of a scheme of retirement amongst the Fellows, because no one will contend that the lives of Fellows of Trinity College are worse than those on which the Carlisle tables of mortality are based. If, therefore, calculations based on these latter tables show a certainty of great stagnation in the future, and also show the advanced age to which in the immediate future the members of the Board must reach, a *fortiori* if the lives be better than those assumed in the tables, the stagnation must be so much the greater, the members of the Governing Body must be so much the older, and the members of the Teaching Staff so much the more inefficient and past their work.

526. Will you explain the statement on p. 5 of that document, viz.—"that the proportion of the vacancies caused by Church preferment to the total number of vacancies did not much alter during the century previous to the disestablishment of the Church," and state what inference you draw from this fact?—In the forty years, from 1760 to 1800, forty-eight Fellows were elected, and twenty-three Fellows went out on College livings. In the forty-one years from 1800 to 1841 fifty-two Fellows were elected, and twenty Fellows went out on College livings. In the twenty-three years from 1841 to 1864, twenty-seven Fellows were elected, and eleven Fellows went out on College livings or took Divinity Professorships. The inference I draw is that if matters had gone on as they were, and if the Church had not been disestablished, we might

have expected that at the close of the third period of forty years as many vacancies would have been produced among the Fellows by Ecclesiastical preferment, as in either of the former periods of equal length; and that therefore the disestablishment of the Church has had a direct effect in increasing the stagnation which had already arisen from the other causes mentioned. These considerations are to be taken without reference to the probability of vacancies being caused by the election of Fellows to Uniquities, of which there might have been very reasonable expectations if we were to form a judgment from the past history of the College.

527. I want to ask you this question.—As a matter of fact has any living become vacant since the Irish Church Act was passed which it is probable that a Fellow would have taken?—Churchill became vacant; I think it would have been taken by a Fellow, and I think probably Drumagh might also have been accepted.

528. Will you explain the tabular statement on p. 3 of that document, showing the most favourable conditions as to age which can happen among the members of the Board in the future?—As the Fellows have all been elected by competitive examination, it has sometimes happened that a younger man has obtained a Fellowship before an older one, the consequence of which is, that the order of seniority by standing among the Fellows does not correspond to the order of seniority by age. Thus one aged fifty-three is present in senior to three others aged fifty-six, fifty-seven, and fifty-eight. One aged fifty is senior to one aged fifty-four. One aged thirty-three is senior to three others aged thirty-four, thirty-eight, and thirty-nine. What I call therefore the most favourable condition as to age of members of the Board would be that in every case the oldest should die first. Such an event being supposed, those that survive will supply the youngest possible lines under the circumstances. "Minimum age of oldest member" will therefore mean the age of the oldest survivor, on the supposition that those who have previously died were, at the time of their death, the oldest members of the Board though not necessarily the members of next senior standing. Similarly "maximum age of the youngest member" will mean the age of the youngest survivor, on the supposition that the youngest die last, even though they may be senior to standing in some who are older. It is obvious that if the members of the Board should die in any other order than that of seniority of age, the ages of the survivors will be greater than those given in the tabular statement.

529. Have you any further observations to make as the subject of the necessity of a scheme of retirement?—Only this, that I think it highly undesirable that any scheme should be recommended which did not remedy the stagnation amongst the Fellows for all future years as well as that which is shortly about to overtake the College. It should, I think, be part of any good scheme that it should be compulsory on all Fellows elected after a certain date that they should retire at the age of seventy on two-thirds of a senior Fellow's income, if they be members of the Board at that age; and on an income to be fixed according to some scale of years of service, if they be still junior Fellows at that age, or when incapacitated; and if it be deemed undesirable to apply compulsion to existing Fellows, owing to the fresh rights which they at present enjoy, sufficiently liberal provision should be made in any proper scheme to make it worth while for existing Fellows voluntarily to place themselves under the scheme, and provision should further be made that any Fellow refusing to come under the scheme should not obtain any advantages from the retirement of others under the scheme. The great inducement to a senior Fellow at present to remain on the governing body consists in the fact, that almost all the annual offices are limited to senior Fellows, and no rule exists to prevent the accumulation of offices on single individuals, while some of the offices, from being for a long period inefficiently worked, have practically be-

course of instruction which can be held by persons in other respects quite unacquainted from governing the College. As examples I may mention the offices of Vice-Provost, Cathedral, Senior Dean, and Librarian, the last of which should be considered one of the most important posts in the University, instead of being merely an appendage to the income of a senior Fellow. On an examination of this year's calendar it will be seen that two offices are held by each of four members of the Board.

520. Is the examination for a Fellowship such that the man who gets the most marks must be elected?—The best man is always elected.

531. It does not depend on the number of marks?—Technically he is elected by the votes of the members of the Board, but practically the man having the highest marks is always elected.

Mr. WILLIAMSON.—The Fellowship candidates are diminishing gradually. Only one man that I know of has commenced to read for Fellowship during the last five years. For three years previous to this year there has been no vacancy. Many, who formerly would have been Fellowship candidates, are now going to Cambridge.

532. Mr. MURKILLAND.—Have you considered what the effect of an annual election independently of a vacancy would be?—Dr. Truill.—Only to increase the number of incumbents at the bottom of the list of Fellows.

533. Have you estimated the effect of a retirement scheme, in creating vacancies for Fellowship?—We went carefully into that calculation, and we found that if we raise the age at which men obtain Fellowship to be twenty-six, and provide for five retiring places for men about seventy years of age, then, according to the tables of mortality, there should be one vacancy per year, on the average.

534. Have you got the number of vacancies between 1740 and 1790?—There were fifty-eight vacancies.

Mr. WILLIAMSON.—There was then a much smaller number of Fellows. Fifteen was the number of Junior Fellows, the number of the Senior Fellows being the same as now.

535. Lord BELMONT.—Was it the custom of Senior Fellows to take College livings?

Mr. WILLIAMSON.—Several of them have taken livings.

536. In some of the livings the income is in a great measure derived from the glebe lands—for example, Cloughway?—Very much so.

537. Mr. MURKILLAND (to Mr. WILLIAMSON).—How many years were you in the junior grade before you got into the middle grade?

Mr. WILLIAMSON.—I was particularly unfortunate. I remained for six years a non-tutor, and it was seven years more before I was promoted into the middle grade.

538. Had not the Fellows an equivalent for the stagnation in the repeal of the collation statute, by which they got leave to marry?—Dr. Truill.—The real benefit from that was obtained by men high up in the body.

539. Judge LONGFIELD.—Were there any other cases for the stagnation—do you not think that the tutorial system had the tendency to prevent men taking livings since the effect of that system was to equalize their incomes?—I think so.

540. Did not the inequality of pupils before the introduction of the tutorial system induce men to take livings?—Yes; I think so.

541. Besides their certain income, the Fellows are paid for examinations?—Yes.

542. And some clerical Fellows are readers in the Chapel?—They have been appointed since the disestablishment of the Church.

543. There are a number of lecturers paid by the College?—There are honor lecturers in classics and mathematics.

544. Dr. Stubbs informed us that the average

amount paid by the Senior Bursar to the Junior Fellows for salary, examination fees, &c., is £200 a year?—That may be right when taken for the whole body, but the average of my receipts from the Senior Bursar, since I became a tutor, for Fellowship salary, examination fees, is less than £100 a year.

545. Judge PLAMMER.—Do I understand you to say that prior to the repeal of the collation statute one of the principal reasons for accepting the livings was the inequality of pupils?—That was suggested by Judge Longfield. I think it was a very strong reason. A man at that time might have had no pupils.

546. Judge LONGFIELD.—From the time of Dr. Purdon, when the collation statute passed, to that of Dr. Lloyd, what proportion of the Fellows took livings?—I cannot say.

Mr. WILLIAMSON.—A very large proportion, I am sure.

(Here Judge Longfield supplied the answer—viz : that they all took livings.)

547. Mr. MURKILLAND.—In what year was the change made in the payment of the Tutors?—In 1833 or 1834.

548. Lord BELMONT.—You wish to give evidence on the special scheme of retirement proposed by the Board and by the Junior Fellows. What do you consider to be the essential difference between these two schemes?—Dr. Truill.—The scheme proposed by the Junior Fellows points to a provision being made for as many as five retiring places, and would admit of the number being occasionally more than five, while at other times it might be less, the average of five being secured. Their scheme also points to a fixed age, seventy, as the proper time for retirement. The necessity for both of these provisions being taken together will be obvious, when it is remembered that within a list of twelve consecutive Fellows at present, there exist one group of five within a year of each other in age, and another group of six within a year of each other in age, the average age of the latter group being within three years of that of the former. The scheme put forward by the Board points to no fixed age for retirement, and prevents the possibility of a provision for an average number of retirement places, which by its elasticity would get over the dangers of that particular period of stagnation which, it is easily shown, must come upon the College in fourteen years from the present date.

549. Will you point out the particular part of the scheme put forward by the Board, which permits the possibility of making a provision such as you describe?—It provides that the total annual sum to be paid under the scheme of retirement, shall not exceed the income to be from year to year derived from the capital sum set apart from the Advowson Fund for the purposes of the scheme, and it further provides that in years when there might be no retired Fellows or a number less than the income derived from such capital sum would admit of, the balance of such income shall not accumulate for the purposes of the scheme, but shall be expended with the ordinary revenue of the College. The result of this would be, that under no circumstances would there be five retiring places (except in the extremely unlikely contingency of most of the incapacitated persons being Junior Fellows), much less anything like a provision for an average of five retiring places. It might also easily happen, that by reason of the annual income arising from the capital sum being, say £10 short of what would be necessary to provide the next integer number of retiring places, one such extra retirement might be indefinitely postponed, though the accumulation of the fractional income might in a very short period have made ample provision for such further retiring place.

550. Why do you consider it essential to a proper scheme of retirement that some such elastic provision shall exist whereby out of accumulations of interest there may be, for occasional periods, more than five retiring places?—Because it can be shown, as stated in p. 3 of the document of the Junior Fellows, that in fourteen years from the present date, out of seventeen Fellows

Nov. 2, 1877.

A. Truill, Esq.,  
F.R.S., and  
B. Williamson,  
Esq., F.R.S.

Nov. 6, 1877.

A. TUCKER, Esq.,  
P.O. 10, and  
B. WILKINSON,  
Esq., P.O. 12.

NOW above fifty-six years of age there will be in all probability at least eight survivors aged seventy and upwards, and one of them still a Junior Fellow; and, as has been already remarked, any departure from this result anticipated by calculation from the ordinary tables of mortality, may be expected, in the case of lives so far select as those of Fellows of Colleges, to be rather in the direction of greater than of less longevity. It is to be further remarked that the period referred to there will also be a considerable number of Junior Fellows rapidly approaching the age of seventy.

551. The scheme of the Junior Fellows points to seventy as the age at which retirement should take place: do you not consider that many men after seventy are competent to discharge important duties, and that many men whose age is over seventy are even more competent than many others who have not yet reached that age?—Undoubtedly when a line is drawn at a fixed age, occasionally a competent person may be placed on the retired list, but still it is better that this should happen than that the fact of his remaining should entail the staying on of a number of incompetent persons; and instead of compelling any person who may be a remarkable exception with other persons who may be younger than himself, it would be more to the point to compare him with himself at that younger age. And it will I think hardly be contended by any one that a man of seventy is in fuller vigour of intellect or more competent for the discharge of arduous duties than he himself was twenty or even ten years before.

552. Have you any further observations to make upon the scheme of retirement proposed by the Board?—(1.) It would, to my mind, be absurd to place the decision of so important a question as that of the incapacity of a Fellow in the hands of the Visitors, unless a radical reform in the present system of visitation takes place.

553. Who are the Visitors?—The Visitors are the Archbishop of Dublin, and the Chancellor of the University; the Lord Chancellor of England, Lord Cairnes is the Chancellor of the University, and the Vice-Chancellor, Sir Joseph Napier, acts as visitor in the absence of the Chancellor.

(2.) I think it very undesirable to carry out the proposal of the Board to allow the number of Junior Fellows to be increased by annual elections to twenty-eight, when there is no provision for making an adequate retirement for such Fellowships. By the letters patent of 3rd Vic. the number was so increased to get over temporary difficulties with the then Fellowship candidates in connexion with the repeal of the college statute. We have seen how much that legislation has involved us in the present difficulties of stagnation, and we should be very careful not to increase the number of malcontents at the top of the list of Fellows; and it is very remarkable that the reason assigned in the letters patent of 23 Vic., whereby power was given to the Board to diminish the number of non-tutors by four, is this, "Whereas it has been represented to us that the six non-tutor Fellowships then created (i.e., by the letters patent of 3 Vic.) have not answered the purpose for which they were established, our will and pleasure is," &c.

(3.) I cannot too strongly condemn the proposition of the Board as to the appointment of a Pro-Prevost to take the place of the Provost in the event of the latter becoming incapacitated. One would have expected that if the Vice-Prevostship had been a real office, and not merely a sinecure, the Vice-Prevost (if not himself incapacitated) should have discharged the duties of the Provost; and if it were considered necessary to provide for the contingency of temporary absence or disability of the Vice-Prevost, a Pro-Vice-Prevost (without a salary) would have been quite sufficient. It has been already shown that we have to look forward to a period when all the members of the Board may possibly be aged above seventy years at once. In such case the proposal of the Board would probably amount to this, that while the Provost and Vice-

Provost were both incapacitated by age from the efficient discharge of the Provost's duties, a third Senior Fellow of nearly equal age would be elected to fill the place of both. The proposal seems to me to be only an ingenious mode of dividing large salaries among Senior Fellows, whose pay shall have already been ample for the duties discharged by these.

554. Judge LOSCROFT.—What effect would adding two to the number of the Board have?—None whatever, except to give two steps in promotion, to add two more malcontents at the bottom of the list, and then to leave the stagnation as bad as ever.

555. Judge FLAHERTY.—What sum would be required to work the scheme?—£110,000 would provide for a complete retirement scheme for all present and future Fellows.

556. Lord BLENHEIM.—You wish to give evidence on the subject of the Advowson Fund and its applicability to the purpose of a scheme of retirement: state your views.—I shall be able to establish incontrovertibly these two propositions:—1st. That in the sum paid over to Trinity College for its advowsons no clerical nor Church interests of any description have been included. 2nd. That this Advowson Fund is not otherwise taken out of funds belonging to the Church, than as the sum paid over as compensation to Maynooth, or to the Presbyterian for the loss of the Regium Donum, has been taken from the Church funds; and the inference I will draw from these two propositions is, that neither the Church of Ireland nor the Clerical Fellows of Trinity College can establish the least claim on this Advowson Fund any more than they can on the sum paid to Maynooth. To establish these propositions it is only necessary to consider that the College never had any property whatsoever in the £15,000 a year, which was the income of the College livings, any more than she had a property in the revenues of those bishoprics to which any of the Fellows might happen to have been promoted. This statement may at first sight appear anomalous, but when explained into, it will be found to be strictly true. No Fellow got the income of a College living as a Fellow; on the contrary, the essential condition of his receiving that income was that he should resign his Fellowship. The gain to the Church was that she received the services of highly educated clergymen of the highest abilities. The gain to the College consisted entirely of the streams of promotion which was caused amongst the Fellows who remained behind when others went out on College livings; and this gain was of the same nature exactly as when a Fellow was promoted to a bishopric. The Irish Church received exactly the same compensation in the case of the College livings as in the case of any other livings, namely—the value of the life interests of the existing clergy. The College got exactly the same compensation for the loss also sustained by the Act of Disestablishment as any other lay proprietor of an Advowson; and this compensation was not taken from any special funds connected with the College livings, but from the general funds in the hands of the Commissioners of Church Temporalities, exactly as in the case of Maynooth or the Regium Donum. This will appear more evident when the mode of calculation of the value of the Advowson is explained into. The value was threefold:—(1) Inasmuch as a deduction of the fixed sum of £40 was made from the net annual value of the benefice. (2) A further deduction of £45 per cent. of the balance was made. These two deductions were supposed to represent the value of the performance of the clerical duties for ever, and being confiscated, these permanent and revolutionary interests of the Church in the livings were taken away. (3) The residue of the annual income was capitalized at twenty-two and a half years purchase. (4) There was finally deducted the value of the life interests of the existing incumbents. This last deduction represented the interest of the Church in the livings, and was the only compensation preserved to her by the Church Act and this compensation the Church has already received. It seems to

we that the College might with quite as much reason lay claim to this compensation received by the Church as that the Church should lay claim to the Advowson Fund paid over to the College. (5) The balance remaining after all the above calculations and deductions was handed to the College. The fact that in calculating the value of the Advowson, so much use has been made of the figures representing the value of the incomes of these College livings, has not necessarily caused money to fall into the error of supposing that the Advowson Fund was a portion of the capitalized value of the College livings, and that therefore the Church had at least a moral if not a legal claim upon it. Similar considerations exist, I think, make it plain that the Clerical Fellows as such have no individual claim against the Advowson Fund. Their claim, if worth anything, must be based, not upon an Advowson Fund calculated according to the principles laid down in the Duke of Devonshire's case by the arbitrators, Judge Longfield and the present Lord Chancellor, where the valuation was that of a partly lay property, there being no clerical right of succession in the owner of the Advowson, but it should be based upon what would have been the Advowson Fund, if it had been calculated according to the principles laid down in the case of the Rev. Mr. Moore, of Cotehill, [in which the arbitrators were the present Lord Chief Justice of the Queen's Bench and myself, with the Rev. Mr. Galbraith as umpire]. In that case the owner of the Advowson was in orders, with a right of succession to the benefice, and the value of the Advowson was unduly increased by the arbitrators by a very substantial amount. The clerical members of the Corporation of Trinity College, Dublin, occupy a perfectly analogous position to that of the Rev. Mr. Moore, and after the arbitration in his case they should have gone back to the Church Temporalities Commissioners, and either have got direct compensation, or have had the value of the Advowson Fund increased by the amount equal to the value of their conjoint reversionary interest. Had this been done they might have shown individual claims against the increased Advowson Fund, but it seems to me to be perfectly clear that they can have no claim whatever as clergymen against the Advowson Fund as at present constituted. Having disposed of the various outside claims against the Advowson Fund, and having shown that it was paid to the College as compensation for that loss of patronage which secured a stream of promotion amongst those Fellows of Trinity College who did not accept the College livings, as well as advantages to those who did, it seems to me to be incontrovertibly established that the obvious and natural allocation of the Advowson Fund is that for a scheme of retirement.

557. You say that the College got the same compensation as any other lay proprietor of an advowson—do you consider that any moral claim exists on behalf of the Church against the advowson fund on this account?—I consider that in general the Church has a strong moral claim upon those who have received compensation for advowsons as members of that church, but I think it must be easily seen that the analogy fails if the argument be pressed against the Corporation of Trinity College. In the first place, it is no longer necessary that the Fellows shall be clergymen, and therefore, whatever remains of the trust should be held impartially for all denominations so far as they can win their way into the corporation by open competition. But further, any ordinary owner of an advowson could, before disestablishment, have sold his advowson and put the money into his pocket, and therefore, he could have given it back to the Church as a free gift. As he could have done this before disestablishment, he is also free to do so after disestablishment, and hence the force of the moral argument in his case, that he should assist the Church in her hour of need rather than make a private profit. But the Corporation of Trinity College was not at liberty before disestablishment to sell the advowsons of the Crown livings, and even if it

were contended that with the consent of all their members they might have raised those advowsons which they purchased under the letters patent of 3 Geo. III., it is quite clear that the money so obtained should have been specially set apart to cause a flow of promotion amongst the Fellows, because the preamble of these letters patent states that the object for which these advowsons were purchased was to "cause a more frequent succession of Fellowships in the said College."

558. You wish to give evidence as to the questions of the precise connexion of the Divinity School with Trinity College in the future, and of its future government?—Do you think the Divinity School should remain connected with Trinity College or that it should be separated from it?—I am strongly of opinion that the connexion should continue. I think it essential for the proper training of Divinity Students, that they should be educated with all other students in similar matters, and mix freely with them in every-day life. It must also be remembered that our Divinity Students are not preparing solely for the ministry of the Church of Ireland, but that many of them are for the Church of England, and some of them for other Protestant denominations. No good reason could be assigned for removing the Theological Faculty from the University of Dublin, and as degrees in Divinity can now be taken by laymen, it is only the proper function of the University to supply teaching in the necessary subjects of examination.

559. Do you think there should be any modification in the government of the Divinity School?—Yes, as the Board of Trinity College may at some future period not consist of clergymen, provision should be made, at least, that only such members of it as were clergymen should have governing powers in respect of the Divinity School. Further, as the recognition of our Divinity Testimonium by the Bishops of the Church of Ireland is only discretionary, it is very important that they should as far as possible be brought into intimate connexion with the government of the Divinity School, so that they might be induced to make it a general rule, that before ordination they should require candidates to produce the Divinity Testimonium.

561. What governing body would you suggest for the future?—I think the number should not be much larger than at present, and in my opinion the best selection that could be made would be; three persons to be named by those members of the Board who were also members of the Church of Ireland, the two Divinity Professors, and one person to be chosen by the assistants of the Professors, and three persons to be chosen by the bench of Bishops—nine in all.

562. What powers would you give to this governing body?—They should have the power of electing the Professors and other teachers of the School, or of removing them from time to time. They should have the control and direction of all studies in the Divinity School, and should have the control of all money entrusted to them, subject only to a veto by the Board of Trinity College in the case of any proposal to disturb the primary allocation in the Divinity School of funds belonging to Trinity College.

563. From what funds would you pay the salaries and supply the wants of the School?—As long as the Professors are elected from amongst the Fellows of Trinity College their salaries should be paid as at present, but as the supply from that source will probably become limited, sufficient funds should be supplied from other sources, notably from the confiscated Church funds, to enable the governing body to be as far as possible unrestricted in their choice, and to give suitable salaries to the successors of the present Professors. The funds of Trinity College should still bear the expense of all local requirements of the School, and should also pay a stipendium fee for each Divinity Student upon the books of the College.

564. The time may come when there is no clerical Fellow to take the Professorship of Divinity?—Yes;

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1 Nov. 7, 1857

A. Tait, Esq.,  
F.R.S.E., and  
R. Williams,  
Esq., F.R.C.D.

and then, in my opinion, the £1,200 a year should go into the College funds. The capitation fee would be a reasonable sum to be paid by the College.

565. Do you think that the Church would be satisfied with having only three representatives on the Board?—The three representatives of the teachers would be as much representatives of the Church as of the College. I do not consider that the Divinity School of Trinity College is the property of the Church of Ireland. Many pupils of the school go to the English Church. Some of my pupils have become Presbyterian ministers. The number of men for the English Church is very large. I put the school on a wider basis than the Church of Ireland.

566. How many students of the Divinity School belong to other churches?—I should say between the Church of England and the Presbyterian Church the proportion would be about one-third.

567. Do you consider that there is any obligation on Trinity College to keep up the Divinity School?—I do.

568. Judge FLASAGAN.—Do I understand you to say that a layman can now get a theological degree?—Yes.

569. Therefore you consider that the school should be open for the benefit of laymen generally?—That change was only made about a year ago.

570. If the Divinity School was entirely separated, do you consider that the pupils in the Divinity School would be losers by the separation?—Yes.

571. In what respect?—A Divinity School belong-

ing to the Church would never have the same prestige as a Divinity School attached to the University. I think the natural tendency of it would be to educate the Divinity Students in theology alone, and not in arts. I consider that the education of a clergyman in arts is as important as his education in theology.

572. What difficulty would there be in the Government of the Divinity School requiring that the students should have an education elsewhere in arts?—I think the tendency of all theological colleges is to look to instruction in theology alone. A number of men were ordained at the time of the disestablishment of the Church who had not a degree in arts, and they don't compare favourably with those who have degrees.

573. Do not the Bishops require candidates for ordination to be examined?—It is the Chaplain's duty to examine candidates; but I do not think that chaplains examine in anything but theology.

574. Mr. GALLSWORTHY.—In some cases of exigency, have not the bishops made it a condition for ordaining them that they should afterwards go through the arts course?—Yes. I have heard of a great number of clergymen on whom that condition was imposed.

575. Mr. PORTER.—Is it not the fact that, under the present system, a man may take a degree in theology without arts?—He can take out a testimonial, but not a degree.

576. Lord BELMONT.—He must be a B.A. before taking a degree in Divinity?—Yes, and so it is also in the Engineering School.

Jan. 9, 1878.

WEDNESDAY, JANUARY 9, 1878.

Present:—Right Hon. the EARL of BELMONT, K.C.M.G., in the Chair; Right Hon. MOUNTFORT LONGFIELD, M.D.; Right Hon. S. W. FLASAGAN; A. M. PORTER, Esq., Q.C.; Rev. J. A. GALLSWORTHY, F.R.C.D.; JOHN MURDOCH, Esq., M.P., B.L.

Rev. J. A. Gallsworthy,  
March 1878.

The Rev. J. A. GALLSWORTHY, F.R.C.D., one of the Commissioners.

377. Lord BELMONT.—I believe, Mr. Gallsworthy, that you wish to put in a document?

Mr. Gallsworthy.—I wish to put this document in evidence; it is a copy of a statement signed by nineteen of the Junior Fellows and forwarded by them to the Prime Minister, and I believe that it was mainly

this which induced the Government to issue this Commission. I desire to put it in for the purpose of showing what were the grievances from which the Junior Fellows conceived themselves to be suffering when they applied to the Government for an inquiry by a Royal Commission.

# APPENDIX.

## APPENDIX II.

STATEMENT of the JUNIOR FELLOWS of TRINITY COLLEGE, DUBLIN, as to the present condition of the Body of Fellows, and the necessity of providing an adequate system of retirement for Fellows disabled by age or infirmity from the discharge of their duties.

Since the month of February, 1875, several communications have passed between the Junior Fellows and the Board, and the Junior Fellows regret to say, without any agreement being arrived at on a subject which vitally affects the future interests of the College, namely, a suitable provision for the Retirement of Fellows who may become incapacitated by age or infirmity for the discharge of their duties.

In the original Constitution of the College there were, in addition to the Provost, seven Senior Fellows and nine Junior Fellows; by gradual additions, the number of Junior Fellows had risen in the year 1808 to eighteen, and so remained until 1840, when, on the repeal of the Collegiate Statute, the number was increased to twenty-eight. By powers committed to the Board by Letters Patent, the number has been reduced to twenty-six, so that at present the Corporation consists of the Provost, seven Senior Fellows, and twenty-six Junior Fellows, together with seventy Scholars, who are members *à titre gratuit*. It thus appears that, while the number of the Fellows has been considerably increased, the number of the Board has never varied.

In the year 1610, by Letters Patent of King James I., the right of presentation to eighteen livings was vested in the Provost and Senior Fellows.

In addition to these the College purchased the advowsons of three livings, the last in 1828, the other two in or about 1760.

By means of these livings, as well as by occasional preferments to Bishops and other ecclesiastical officers, a system of Collegiate Retirement was provided, the effect of which was a fairly rapid promotion among the Fellows, which secured as consequences, 1. a vigorous Governing Body for the College; 2. an active and efficient Staff of Teachers; 3. a number of Fellowship Vacancies sufficient to stimulate the exertions of the most talented young men among the Graduates and Undergraduates of the University.

These important objects were, on the whole, fully attained in Trinity College for the last two hundred years, as the records of the College abundantly show.

But a very different state of things must be long result from the operation of the Act for the disestablishment of the Church of Ireland. It has been proved by the Junior Fellows in their communications to the Board, that if the body of Fellows be maintained at its present number, and without any provision for retirement, no Junior Fellow can ever expect to reach the Board until after his sixtieth year, and that half the Board at any time must be over seventy years of age. These evils will, in the immediate future, be seriously increased by the legislation of 1840, by which ten new Fellowships were at once created, and filled up in rapid succession, the consequence of which is that there will be at the close of the present year eighteen Fellows, Senior and Junior, over fifty-five years of age, from whose ages it may be shown as a consequence of the laws of human mortality, that in fifteen years hence there will be a Governing Body, the youngest member of which will be seventy years of age, whilst at the same time there will remain among the Junior Fellows one of seventy, and five others, the youngest of whom will be sixty, still engaged in the work of teaching.

The Junior Fellows, foreseeing the evils which must follow from such a state of affairs, urgently request Her Majesty's Government to consider whether a remedy should not be promptly applied,

and they lay before them the following proposal:—

In the year 1873, the Irish Church Temporalities Commissioners handed over to the College as compensation for the loss of its advowsons, together with accrued interest, the sum of £138,630 9s. 1d. This, with interest since earned, must amount to a sum of at least £150,000. Considering the origin of this Fund, namely, as compensation for the loss the College suffered in being deprived of its right of nomination to twenty-one Rectories, the Junior Fellows maintain that its legitimate application would be to provide retiring places for Fellows incapacitated by age or infirmity for the discharge of their duties, and therefore propose that it should be set aside for that purpose.

From the experience derived from the past history of the College, it can be shown that, if provision be made for four retiring places, the evils apprehended will be in a great measure, if not altogether, obviated. It can also be shown that the Advowson Fund will be more than sufficient for the purpose.

While the Junior Fellows maintain that the establishment of such places should be the first charge on the Advowson Fund, they are of opinion that under the present circumstances of the College an adequate scheme of retirement should be provided for Professors, who are not Fellows, whenever they may become disabled by age or infirmity for the discharge of their duty, and accordingly, that any residue of the Advowson Fund, aided, if necessary, by the general funds of the College, should be applied to that purpose.

The Junior Fellows, having failed to obtain the consent of the Board to the establishment of an adequate Scheme of Retirement, and being fully convinced that the future welfare of the College must depend on the three conditions which have been already specified, namely,

A vigorous Governing Body,

An active and efficient Staff of Teachers,

A sufficient number of Fellowship Vacancies,

urgently request that Her Majesty's Government will advise Her Majesty to issue a Royal Commission to inquire into the facts they have above alleged, and which they are prepared, if called on, to substantiate.

The Junior Fellows have been induced to approach Her Majesty's Government, not merely from foreseeing the evils which are certain to arise before long from the recent course of legislation if no remedy be now applied, but also because, even at present, grave dissatisfaction is felt, both within and without the College, respecting the three points already adverted to.—Firstly, as to the Governing Body, from the fact that there are at present two Senior Fellows who are wholly incapacitated for the discharge of any duty incidental to their position; Secondly, from the unprecedentedly advanced age of a large number of the Junior Fellows still engaged in the work of instruction; Thirdly, from the fact that there has been no Fellowship Examination for three consecutive years, and that there is at present no certainty of one being held in 1877.

Signed by the Committee appointed to act on behalf of the Junior Fellows,

JOSEPH A. GALLAGHER.

SAMUEL HADGHTON.

JOHN K. INGHAM.

GEORGE F. SHAW.

BENJAMIN WILLIAMSON.

ANTHONY TRILLA.

TRINITY COLLEGE,  
7th July, 1876.

APPENDIX

— II —

Statement of  
the Junior  
Fellows of  
Trinity College,  
Dublin as to  
the present  
condition of the  
Body of  
Fellows.

APPENDIX  
III.

## STATEMENT OF THE PROVOST AND SENIOR FELLOWS.

Statement of  
the Provost and  
Senior Fellows  
of Trinity  
College.

The Provost and Senior Fellows of Trinity College beg leave to make the following statement in reference to the subjects of inquiry mentioned in the Royal Commission.

I. With regard to the remedies proper to be provided for any injurious consequences arising from the loss of patronage, they submit an extract from a proposal for a new statute, which was laid before the Government in last December by them, with the approval of all the Junior Fellows, viz. :—

"Whereas it is expedient that provision should be made for the retirement of any of the Fellows of the College of the Holy and Undivided Trinity of Queen Elizabeth, near Dublin, who may become permanently incapacitated for the efficient performance of their duties, by reason of old age, sickness, or any mental or bodily infirmity; and whereas the income of each of the said Fellows consists partly of a fixed salary, and partly of other payments determined according to his standing among the Fellows, and partly also of the salary of any Professorship, Lectureship, or Office to which such Fellow may have been appointed; and whereas the funds of the said College have been recently increased by the payment of certain sums of money as a compensation for the loss of certain Advowsons in the Church of Ireland; and whereas the loss of such right of Patronage as aforesaid is calculated to diminish the number of vacancies among the Fellowships of the said College, and thereby to affect injuriously the interests of learning; and whereas the retirement of Fellows so incapacitated as aforesaid will tend to remedy such injurious effects by increasing from time to time the number of such vacancies; and whereas the income derived by the payment of the said compensation money will enable the revenue of the said College to sustain the additional charge which will be imposed upon them by the provision hereinafter contained; it is therefore proposed,

"That whenever any Fellow shall become permanently incapacitated as aforesaid for the efficient discharge of his duties, and such incapacity shall have been ascertained by the Visitors of the said College, he shall be permitted by the said Visitors to resign his Fellowship on the terms and conditions hereinafter mentioned.

"That the person resigning his Fellowship shall thereupon enjoy the style and title of Honorary Fellow, and shall be paid out of the funds of the said College an annual sum to be determined in manner following: that is to say, if a Senior Fellow, a sum equal to his salary as Senior Fellow, and the annual payment in lieu of several fees, and the proportion of the Dividends payable for the year preceding his retirement; if a Junior Fellow, holding the office of Junior Bursar or of Senior Tutor, a sum equal to the salaries of a Junior Fellow and Senior Tutor; if a Junior Fellow and Tutor, not holding either of said offices, or a Junior Fellow, holding an office in lieu of a Tutorship, for which an income equal to that of a Tutor has been provided, a sum equal to his salary as Junior Fellow, together with an amount equal to the share of the Tutorial Fund to which a Tutor in the grade of such Junior Fellow was entitled for the year preceding such retirement; and if a Junior Non-Tutor Fellow, a sum equal to his salaries as Junior Fellow and Examiner: Provided always that the total annual sum to be paid out of the funds of the said College to such Honorary Fellow or Fellows shall not (more as hereinafter provided) exceed the income to be from year to year derived from the capital sum so paid as compensation as aforesaid; and that whenever and so long as the before-mentioned annual sum payable to the then existing Honorary Fellow or Fellows shall either equal the amount of the said annual income, or shall leave only such a balance as shall not be equivalent in amount to the several sums which would become payable upon any further resignation, the said provisions as to such resignation as aforesaid shall be suspended, and shall not be acted upon or take effect; Provided, however, that nothing herein contained shall be deemed or taken to affect the amount of the annual sum payable to any then existing Honorary Fellow or Fellows; but the same shall continue to be paid out of the funds of the said College, even although the annual sum so paid shall exceed in any year or years the annual income derived from said compensation money.

"And whereas by Letters Patent, 3rd Victoria, it is enacted that there should be added ten new Fellows to the then existing number of Fellows of the said College, whereby the total number of Junior Fellows of the said College was raised to twenty-eight; and whereas by Letters Patent, 22nd Victoria, it is enacted that it shall be lawful for the Provost and Senior Fellows, if they shall think fit, with the consent of the Visitors of the said College, in the

event of any Non-Tutor Fellowship becoming vacant, to call to fill up or elect to the same and by such means any Non-Tutor Fellowship shall be abolished: And whereas it is expedient that a fixed rule should be laid down for such election to elect Fellows, and that provision should be made, as far as possible, for the election of a Fellow in the said College every year, it is proposed that until the total number of Junior Fellows shall be twenty-eight, one Fellow shall be elected every year, and that no more than one Fellow shall be elected in any one year unless the number of Junior Fellows shall be less than twenty-three on the first day of Lent in any year, on the happening of which event two Fellows shall be elected in such year: provided always, that in no case shall more than two Fellows be elected in any one year, and that the number of Tutor Fellows now existing shall not be increased."

II. The Provost and Senior Fellows are not aware of any equitable claim affecting the compensation for the loss of Advowsons unless it should be judged that the Fellows in Prince's Orders have such claim on account of the custom hitherto prevalent in regard to the presentation to benefices. This claim has in fact been already put forward by some of the Fellows as a legal claim, but the legal adviser of the College states that no such claim can be maintained in law.

It has been suggested that the Advowsons were granted to the College for the good of the Church, and that therefore the Church has an equitable claim on the money which was given as compensation for these Advowsons; but there is no proof that such was the intent of the Crown. The greater number of these Advowsons were given to the College by King James, at the same time and in the same manner as other ecclesiastical property was given by him, and the other Advowsons were purchased by the College with consent of the Crown for the express purpose of increasing the number of vacancies among the Fellows.

The Commissioners appointed to carry out the provisions of the Irish Church Act were authorized to apply the funds at their disposal to the compensation of Patrons for the loss of this property, but they were not authorized to compensate the Church for any portion of her property except what she had received from private endowments.

The Advowsons were no doubt subject to the condition that the Patrons should appoint persons qualified to perform the parochial duties, and the commercial value was therefore less than if no such condition had existed. Accordingly, when this condition was abolished by the operation of the Church Act, a sum equal to the estimated value of the relief thus given to the Patrons was deducted from the value of the Advowsons, and the balance only (amounting to little more than one-half of the entire value) was given to the Patrons, the right of the Church having been confiscated by the Act of Parliament.

III. The mode of conferring Degrees in Theology is contained in the following Chapter of the "Regule Universitatis," as amended by the Senate, on the 30th November, 1876:—

Capitulum VIII.—De Gradibus in Theologia Ordinandis. Statutum est ut Caput octavum Regule Universitatis abrogaretur et ut Caput insuperans substitueretur.

Nomen Baccalaureatus in theologia facillime accipitur qui non est Magister in Artibus, sed alium tunc etiam post gradum Baccalaureatus in Artibus accipietur non completum, et qui examinationem spectantem in Theologia coram Professoribus Regie non satinentur, secundum regulam a Proprietario et Nobilibus Sacerdotibus cum omnibus Professoribus Regie prescriptam vel prescribitur.

Nomen ad Doctoratum adhibetur nisi post explatum quinquaginta a scripto Baccalaureatus Theologiae. Candidatus Thesis impressam Professoribus Regie presentat in qua partem aliquam doctrinae de Sacris Scripturis, sive critica sive exegetica, aut Historiam Ecclesiae aut Theologiae dogmaticae tractatum vel explicatum. Hanc Thesis a Professoribus approbanda est.

Statutum est ut formalis Supplœvicius pro gradu Baccalaureatus in Sacris Theologiae abrogaretur, et ut formalis insuperans substitueretur.

"R. R. Cancellarius totaque Universitas supplicat reverentiae vestrae NN. ut cum auctoritate a scripto Baccalaureatus in

Artibus graecis completi in studio Theologiae, et cum examinatione scholarum habita et omnibus exercitiis per legem et consuetudinem Academicam repetitis sufficienti et ad respectum quodlibet in Theologia.

Proinde tunc quod fides illi, qui sunt sunt studentes et hactenus fuit pro gratia supplicare, neque ad eorum adfinitatem obsequiosissimum neque propter eorum, sub eadem conditione et sub eadem forma quam hactenus in eis fuerit.

IV. The following is an account of the expenditure in connexion with the Divinity School during the last nine years, in addition to the salaries and other payments already mentioned in reply to the queries of the Commissioners:—

1868	..	£121 10 0	1873	..	£138 9 0
1869	..	105 0 0	1874	..	128 2 0
1870	..	151 5 0	1875	..	148 1 0
1871	..	128 9 0	1876	..	111 6 0
1872	..	126 2 0			

V. In reference to the connexion of the University with the Divinity School, the following extracts from the Registry are presented:—

"November 5, 1874.

"The letter received from the Chief Secretary on last Board day, along with a Report of the Divinity School Committee of the General Synod of the Church of Ireland was considered, and it was resolved:—

"1st. That the Students in the Divinity School shall be allowed to continue, as at present, to have the use of Lecture Rooms in Trinity College, for theological instruction, provided that the lecturers are subject to ordinary Collegiate discipline, and that they accommodate their time of lecturing to the requirements of secular instruction in Trinity College.

"2nd. That the Board of Trinity College are willing to confer a similar privilege on any other religious body desiring that its candidates for Orders shall be instructed in Trinity College.

"3rd. That in fixing the qualifications for a Theological Degree, the Board are willing to accept the Certificate of one of the Theological Schools so placed in connexion with Trinity College, as a sufficient attestation of the candidate's theological acquirements."

"January 13, 1876.

"It was resolved:—

"1st. That the control and management of the Divinity School be transferred to a Council appointed by the Church of Ireland, reserving the substantial rights of the existing professors and lecturers.

"2nd. That as the remuneration of any Professorship or Lectureship in the Divinity School, is now equivalent to the salary and payment made to such Professor or Lecturer shall be paid annually to the Representative Body of the Church of Ireland towards the maintenance of the Divinity School on the following condition, viz.:—That the Students of Trinity College shall continue to receive instruction in the School as hitherto, without charge."

"These two resolutions were carried by a majority of five to three."

"May 31, 1876.

"The following resolutions of the Divinity School Committee were communicated to the Board:—

"1. That the Divinity School Committee do very gratefully accept the resolutions of the Provost and Senior Fellows on the subject of the Divinity School, and request them to put the matter in the hands of their Law Advisers for such consideration as may be requisite to insure the legal permanence of the arrangements.

"2nd. That the Divinity School Committee respectfully suggest to the Board the advisability of effecting the security of the pecuniary part of the arrangement, by equalising the income requisite for maintaining the Divinity School, and having over this capital to the Representative Body in trust for that purpose.

"(Signed). "L. H. SHERIDAN,

"Hon. Sec. of the Divinity School Committee.

"The Board agreed to the first of the above resolutions, but they were evenly divided on the second resolution, their voting for it, and four against."

Another plan for the government of the Divinity School has been proposed by the Rev. Dr. Salmon, Regius Professor of Divinity, in a letter to the Registrar, which is forwarded herewith.

These two plans have been submitted to the Legal Adviser of the Board, who has given it as his opinion in each case, that the plan proposed could be carried out only by Act of Parliament.

The above statement represents the opinions of the Board, collectively, on the several subjects referred to in the Royal Commission: individual Members of the Board are understood to entertain special views in reference to certain points connected with these matters, which may best be brought before the Commissioners in separate communications.

By Order of the Board,

THOMAS STARR, Registrar.

Trinity College, April 21, 1877.

#### APPENDIX IV.

STATEMENT respecting a SCHEME of RETIREMENT submitted to the DUBLIN UNIVERSITY ROYAL COMMISSION by the JUNIOR FELLOWS of TRINITY COLLEGE.

The Junior Fellows of Trinity College beg to submit to the Dublin University Royal Commission the following Statement with respect to the necessity of a Scheme of Retirement among the Fellows, and their claims on the Advowson Fund for that purpose:—

From an early period in the history of the College, there were in addition to the Provost, seven Senior and nine Junior Fellows, the tenure of their Fellowships being for seven years only, with the condition of celibacy. In 1637 the Fellowships were made tenable for life, the condition of celibacy continuing to be attached. By gradual additions the number of Junior Fellows had risen in the year 1808 to eighteen, and so remained until 1840, when, on the repeal of the Celibacy Statute, the number was increased to twenty-eight. By powers committed to the Board by Letters Patent, the number has been reduced to twenty-six, so that at present the Corporation consists of the Provost, seven Senior Fellows, and twenty-six Junior Fellows, together with seventy Scholars, who are Members in statu pupillari. It will thus be seen that, while the number of the Junior Fellows has been gradually increased, the number of the Senior Fellows has remained unchanged.

In the year 1610, by Letters Patent of King James I., the right of presentation to eighteen Livings was vested in the Board of Trinity College. In addition to these, the College purchased the Advowsons of three Livings, in the years 1736, 1763, and 1828.

The Fellows, in order of seniority, have always had the right of preference over all other persons, in the presentation to these Livings, and it is remarkable that

in the preamble of the Letters Patent of 3rd Geo. III. granting the prayer of the memorial of the Corporation of the College for the purchase of Advowsons, the following words occur:—"Whereas our said Lieutenants-General and General Governor of our said Kingdom of Ireland having represented to us that the purchasing of such Advowsons will cause a more frequent succession of Fellowships in the said College, and by that means tend very much to the encouragement of learning in our said Kingdom of Ireland, we have been graciously pleased to grant their said request."

The Archbishops of Armagh and Dublin were empowered by the Act of 3 & 4 William IV. c. 37, to nominate or present a Fellow or ex-Fellow of Trinity College to each of ten Livings in addition to the foregoing.

By means of these Livings, as well as by occasional preferments to Bishoprics and other Ecclesiastical Offices, there has, up to a recent period, been a fairly rapid stream of promotion among the Fellows, which secured as consequences:—1. a vigorous Governing Body for the College; 2. an active and efficient Staff of Teachers; 3. a number of Fellowship vacancies sufficient to stimulate the exertions of the most talented young men among the Graduates and Undergraduates of the University.

The following short summary of facts, taken from the records of the College for the last 240 years, will abundantly show that these important objects have been on the whole fully attained in Trinity College.

Setting out from the year 1637, when the Fellowships were first made tenable for life, we find that from that date to 1696, the average duration of a Junior

#### APPENDIX IV.

Statement respecting a scheme of retirement.



## APPENDIX

IV.  
Statement (pre-  
ceding a  
scheme of  
Retirement.

Fellowship, up to the period of co-optation, was five years, and that eighteen Fellows were promoted to Bishoprics. From 1686 to 1740, the average Junior Fellowship lasted for ten years, and six Fellows became Bishops. From 1740 to 1790, the average length of a Junior Fellowship was fifteen years, six Fellows becoming

From 1686 to 1686	Average duration of Junior Fellowship.
" 1686 to 1740	" "
" 1740 to 1790	" "
" 1790 to 1841	" "

This table includes all the present Senior Fellows, the last of whom obtained Fellowship in 1841, and was not co-opted until the year 1876, after thirty-five years' service.

But a different state of affairs has since arisen, owing to three circumstances:—

- (1) The Report of the Colliery Statute in 1840.
- (2) The creation of ten additional Fellowships by the Legislature of that year, which were filled up between the years 1840 and 1850, in addition to those which fell vacant during that period in the ordinary course of events.
- (3) The Disestablishment of the Church in 1869.

If a calculation be made, in accordance with the ordinary laws of mortality, extending over the next thirty years, so as to include all the existing Junior Fellows, for the purpose of arriving at a result analogous to that tabulated above as the record of the past, it will be found that if the present system continues as it is, and if no provision for retirement be made, the average duration of a Junior Fellowship before co-optation will be thirty-nine years, and in eight cases that period will range from 43 to 45 years.

It might be supposed at first sight, on a consideration of the three circumstances above mentioned, that the 3rd, viz., the Disestablishment of the Church, could not have much effect as compared with the other two, inasmuch as since the Report of the Colliery Statute, and in consequence of the diminution of the income of the Livings by the Church Temporalities Act, College Livings have not been as freely accepted by the Fellows as in former days. It will be found, however, that with respect to the creation of vacancies for Fellowship, the Disestablishment of the Church must produce a very serious effect. Since 1841 thirteen vacancies among the Fellows have been produced by ecclesiastical preferment, exclusive of Bishoprics—ten owing to College Livings, and three to Professor-

Bishops; and from 1790 to 1841, the average duration of a Junior Fellowship was twenty-three years, and the number of Bishoprics to which Fellows were appointed was seven.

These results may be tabulated as follows:—

5 years;	Number promoted to Bishoprics, 18
10 " 5 " " " "	6
15 " 5 " " " "	6
20 " 5 " " " "	7

ships of Divinity; and during the same period there have been but thirty-five Fellows elected, including those added on by the Letters Patent of 1840. If we compare with these numbers those relating to the periods between 1790 and 1890, and between 1800 and 1841, we shall find that in the former period twenty-eight College Livings were accepted by Fellows, the whole number of elections to Fellowship being fifty, and that in the latter period twenty-four Livings were accepted by Fellows, the whole number of elections to Fellowship being forty-nine. It thus appears that the proportion of the vacancies caused by Church preferment to the total number of vacancies did not much alter during the century previous to the Disestablishment of the Church.

All the avenues of exit and retirement from Collegiate work which have hitherto depended on College Livings or promotion to Bishoprics have been effectively and for ever closed by the Act of 1869, and, as a result of this and of the other two circumstances already mentioned, it can be shown that if the body of Fellows be maintained at its present number, and without any provision for retirement, no present or future Junior Fellow can expect to reach the Board until after his 60th year, and that half the Board at any time must be over 70 years of age. These evils will, in the immediate future, be seriously increased, owing to the accumulation of Fellowship elections within a short period under the Legislature of 1840. There are in the present year sixteen Fellows, Senior and Junior, over 54 years of age, from whose ages may be shown, as a consequence of the laws of human mortality, that of them in fourteen years there will probably be eight survivors, the youngest of whom will be 70 years of age, and at least one of them will be still a Junior Fellow.

A tabular statement is subjoined, of the most favourable conditions as to age which can happen among the Members of the Board, at the corresponding dates:—

Year.	Age of eldest Member,	67;	Age of youngest Member,	59
1677	(including two Members, at present over 70 years of age).			
1680	Minimum age of eldest Member,	70;	Minimum age of youngest Member,	62
1683	" " " " "	69;	" " " " "	63
1686	" " " " "	71;	" " " " "	65
1689	" " " " "	71;	" " " " "	65
1691	" " " " "	71;	" " " " "	65
1695	" " " " "	74;	" " " " "	68
1698	" " " " "	74;	" " " " "	68
1699	" " " " "	74;	" " " " "	68

During all this period, there would on an average be five Junior Fellows between the ages of sixty and seventy, and very probably some beyond the latter age, in addition to the Members of the Board, whose ages could not be more favourably circumstanced than above, though they might reach much higher limits. This state of things entails on the College a crisis, at so distant period, fraught with danger to its very existence as a teaching institution, and involving grave considerations in relation to the progress of the higher education in Ireland. For it must be obvious that a Board, all, or nearly all, of whose Members are 70 years of age, and upwards, can hardly be considered competent to take part in guiding and controlling that education; more especially when the rapid development, in recent years, of New Sciences, requires that those who direct the studies of the University should be fully acquainted with the progress and the actual condition of the different departments of knowledge.

It will thus be seen that the question at issue reaches far beyond the personal claim for relief from onerous labour which may be justly urged by those who have been teaching for more than thirty years, or who have been engaged for nearly half a century in the successful working of the College.

It must further be remembered that a Scheme of Retirement is necessary, not merely to provide for the case of persons disabled by advanced age for the adequate discharge of their duties, but also for those who may at an earlier period of life become incapacitated by bodily or mental infirmity.

For all the above reasons, it has become necessary that some Scheme of Retirement shall be devised.

The obvious source from which the funds to carry out such a scheme should be derived is the Advowson Fund, given to the College as compensation for its loss of patronage of the twenty-one Livings, to which the Fellows in Orders had a right of succession, and in which the lay Fellows also were so far interested that they advanced a step on the ladder of Collegiate promotion, whenever one above them accepted a Living. When the mode in which the capital sum paid to the College in lieu of its Advowsons was calculated is taken into consideration, it will be seen that every trace of Church property has been eliminated, and that what remains in the hands of Trinity College is as purely lay property belonging to the Corporation as money similarly paid in respect of Advowsons to any other lay patron. The College, as such never had any direct property in the incomes

arising from the College Livings, but had the right to appoint some of its Fellows to receive them. Those incomes have been confiscated, like any other Church property, the incumbents receiving compensation for their life interests, as in every other case; and the capital sum paid to the College represents the compensation to the Corporation for the loss of its rights. The Fellows having been the persons who had the right, in priority to all others, to the pecuniary benefits arising from the exercise of the patronage by the Board, it seems evident that they are justified in claiming that the Advowson Fund shall be primarily devoted to relieving the evils arising from the stagnation in their Body produced by the action of the Legislature.

Having now pointed out the evils which are at present felt, and those which are to be apprehended in the future; having shown the absolute necessity of a proper Scheme of Retirement, not only for Fellows of advanced age and long service, but also for Fellows throughout the Body who may be overtaken by infirmity or inequity; and having further shown that the Fellows have an incontestable claim upon the Advowson Fund for the purposes of such a scheme, the Junior Fellows proceed to lay before the Commission the main features of a plan for carrying the foregoing principles into effect.

They are as follows:—

(1). Retiring places to be provided for Fellows ascertained to be incapacitated by age or infirmity for the efficient discharge of their duties; the Visitors being authorized and required to inquire into the existence of such incapacity.

(2). Power of voluntary retirement of Fellows at or after the age of 70, on one of the places so provided.

(3). Retiring salary for Fellows, after co-option, to be the income belonging to their position as Senior Fellows, exclusive of annual office.

(4). In the case of the retirement of a Junior Fellow, such retiring salary, adapted to the case, to be allowed as the Board and Visitors may approve.

(5). The application, in these objects, of the annual interest of the Advowson Fund, so far as it may be required for the purpose.

(6). The residue to be devoted to general collegiate purposes, amongst which the provision of suitable retirement for Professors, not being Fellows, should hold an important place.

(7). The retirement at present provided for Senior Fellows by the Letters Patent of 18 Vict. to be modified so as to be available only in cases of temporary incapacity; and leave of absence in no case to extend beyond two years.

(8). Any Senior Fellow availing himself of such temporary leave of absence to be required to pay a suitable amount to the Junior Fellow who is called on to discharge his duties at the Board.

The Junior Fellows do not propose a system of compulsory retirement, though they do not see any objection of principle to such a system, provided that existing interests were equitably compensated. But many amongst them believe that the system of voluntary retirement above described will be found to be imperative, unless it be further provided:—(1), that no Senior Fellow shall be eligible to hold the annual office of Bursar, Senior Lecturer, or Registrar, after seventy years of age, or any of the other annual offices after seventy-three; and (2), that no Senior Fellow shall hold more than one of the offices in any year. To secure the latter object, it would be necessary that all restrictions, whereby certain of these offices are not tenable by Junior Fellows, should be removed. It might be considered equitable that existing Senior Fellows, in case of retirement at or after seventy, should obtain additional compensation for the loss of the minor offices.

If an adequate scheme should be now put in operation, the result will necessarily be a recurrence of existing difficulties, and fresh demands for a really efficient remedy. No plan will afford a substantial solution of the questions at issue which does not secure the three great objects of which we have spoken above, and in which the College and the Public are so deeply interested—a vigorous governing body, an efficient teaching staff, and a sufficient number of Fellowship vacancies.

(Signed),

MICHAEL ROBERTS.  
SAMUEL HAUGHTON.  
JOHN W. STUBBS.  
R. TOWSEND.  
JOHN K. INGRAM.  
H. R. POOLE.  
GEORGE F. SHAW.  
J. W. BARLOW.  
R. M. COSGROVE.  
BENJAMIN WILLIAMSON.

T. K. ARNOTT.  
JOHN R. LEWIS.  
THOMAS T. GRAY.  
J. P. MURPHY.  
ANTHONY TRAILL.  
FRANCIS A. TARRANT.  
R. V. TYRELL.  
WILLIAM S. BUNNISH.  
W. S. MCAT.  
ARTHUR W. FAYSON.

## APPENDIX V.

STATEMENT submitted to the DUBLIN UNIVERSITY ROYAL COMMISSION of the claim of certain of the Fellows of Trinity College, Dublin, in Holy Orders, for compensation for the loss of their right of succession to the livings formerly in the gift of Trinity College.

At the passing of the Irish Church Act, in 1869, Trinity College, Dublin, was the owner of twenty-one Advowsons—eighteen granted by Letters Patent of James I., dated August 29, 1610, and three subsequently purchased by the College, in 1757, 1766, and 1838.

After the passing of the Irish Church Act, the College claimed and was paid Compensation for the loss of these Advowsons, under the 18th section of that Act.

The following are the names of the Benefices in respect of which Trinity College received compensation, and also the amount of the Annuities awarded to the incumbents by the Church Temporalities Commissioners:—

Names of the Benefices.	Amount of Annuit- ies awarded.			Names of the Incumbents.	Amount of Annui- ties awarded.		
	£	s	d		£	s	d
Cloughan,	1,363	14	7	Aghabrother,	750	11	10
Ardswee,	1,435	4	0	Invercarrigh,	697	3	0
Cappagh,	1,234	14	3	Killybegh,	618	12	6
Tollymore,	1,146	2	6	Arboe,	595	18	8
Drumagh,	1,098	3	0	Kilmeaneen,	591	0	0
Kilmeaneen,	1,037	8	2	Ardrin,	583	11	2
Clonsilla,	938	7	2	Enniskillen,	503	5	2
Clonsilla,	938	8	10	Clonsilla,	511	10	7
Derryglan,	869	8	11	Clonsilla,	322	9	1
Rapinagh,	870	12	0	Clonsilla,	216	4	0
Coverly,	767	12	8				

## APPENDIX VI.

Statement of the claim of certain of the Fellows of Trinity College, Dublin, in Holy Orders, for compensation.

The inevitable practice of the Governing Body of the College, when one of these Benefices became vacant was to offer such Benefice to each of the Clerical Fellows in rotation, in order of seniority, the Fellow accepting it being bound to resign his Fellowship within a year from the date of his appointment.

The annual income of many of these Benefices far exceeds the income derivable from a Junior Fellowship. Moreover, as the duties of a Parish are of a less onerous nature than the duties of a Fellow and Tutor of Trinity College, and therefore compatible with a state of health and constitution more or less unfitted for the efficient discharge of the various duties of a Tutor Fellow, these livings afforded a provision those who might not be strong and vigorous enough for Collegiate work.

Assuming, then, that the Clerical Fellows had a legal right of succession to the Benefices, it follows that the value of such Fellowships has been considerably diminished, in consequence of the passing of the Irish Church Act, and that the Clerical Fellows can fairly claim Compensation for the loss thus sustained.

As this claim is based upon the assumption that the Clerical Fellows had a right of succession to the Benefices in the gift of the College, the following considerations in support of it are submitted to the Commissioners.

## APPENDIX

F.

Statement of  
the claim of  
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Fellows of  
Trinity College,  
Dublin, in Holy  
Orders, for  
compensation.

The custom of offering a Living, when vacant, to the Clerical Fellows in rotation, in order of seniority, has never in any instance been violated; and no person not a Fellow has ever been presented by the Board to a Living in the gift of the College until such Living had, in the first instance, been refused by all the Clerical Fellows.

This custom of offering the Benefices, when vacant, to the Clerical Fellows in rotation, according to seniority, is recognised in the Statutes of the College. In the Letters Patent, or Statute of Celibacy, 32 Geo. III., 1811, and in the Statute of 3 Viet., 1840, repealing the Celibacy Statute, the following clause occurs (MacDonnell's Statutes, vol. I., p. 245; and again, p. 299): "And Our will and pleasure further is, that, during each year, such Fellow so marrying, and giving such notice as aforesaid, shall be entitled to such choice or option of Ecclesiastical Benefices in the gift of the Provost, Fellows, and Scholars of the said College as he would have been during such year entitled to have had, if he had remained unmarried."

Again, the Letters Patent dated 30th March, 1763, 3 Geo. III., authorising the College to purchase Advowsons, contain the following verbal order:— "And whereas our said Lieutenant-General and General Governor of our said Kingdom of Ireland having represented to Us that the purchasing of such Advowsons will cause a more frequent succession of Fellowships in the said College, and by that means tend very much to the encouragement of learning in our said Kingdom of Ireland, We, &c."

This verbal proves that these Advowsons were purchased for the express purpose of being given to the Fellows; and also shows conclusively that this was the use which has always up to that time (1763) been made of the eighteen Livings then in the gift of the College. Hence, it seems impossible to avoid the conclusion that the Benefices were vested in the College for the primary purpose of causing a more frequent succession of Fellowships—and this purpose would be wholly defeated if there were no obligation to offer the vacant Livings to the Fellows, and it will also follow that the Fellows had the right to demand such offer, and as a matter of fact their right was always admitted, and never called in question. Indeed, the Board considered themselves so bound by this custom, that if an ex-Fellow wished to exchange Livings with another incumbent, he was obliged, in the first instance, to obtain a consent from all the Fellows in Holy Orders that they would not accept his Living when he had vacated it for the purpose of the exchange; or if (as occurred in 1825, and again in 1829), while the Celibacy Statute was in force, a Fellow wished to marry before he had secured a Living, he procured the signatures of all the Fellows in Holy Orders to an agreement that they would refuse the next vacant Living, and allow him to accept it. Many similar cases might be quoted all going to prove that the Fellows in Holy Orders never allowed their right of choice or option of Ecclesiastical Benefices to be interfered with, and the Board have always recognised and acknowledged this right.

Under these circumstances, when the Irish Church Act came into operation, several of the Fellows in Holy Orders applied to the Commissioners of Church Temporalities in Ireland for Compensation, under the 46th section of the Act, for the loss of their right of succession to these Benefices. It will be seen from the Report of the Judgment of the Commissioners in the case, that the Commissioners disallowed the claims of the Fellows, upon the grounds that the Fellows were not "Ecclesiastical persons within the meaning of the Act," and that the right of succession provided for by the 46th section was a right incident to that Ecclesiastical status. At the same time, they were clearly of opinion that the Fellows had proved a right of succession, "of such ancient standing and such uniform observance, that we may take it to have the force of

law" (Judgment, p. 3). Again (p. 4), "We are disposed to think that this right, though somewhat difficult of estimation, is a right of succession within the true meaning of that term." And at pages 8 and 16, the Master of the Rolls and Mr. Justice Lawrence pointed out that the claims for Compensation of the individual members of the Corporation, in respect of this right of succession, should be asserted against the sum paid to the Corporation in respect of these Advowsons. "The Act of Parliament," said the Master of the Rolls, "by its 18th section, gives to the Corporation itself the fullest measure of Compensation for the entire Advowson, which, of course, covers the very next Presentation, to the right of succession to which Compensation is claimed by individual Members of the Corporation." And again, "it would appear more just and equitable that where the entire Advowson vested in the Corporation is compensated for by payment in full to the Corporation, a right to a next Presentation, vested in a Member of that Corporation, should be adjusted by the Corporation, out of the Funds it has got as Compensation, rather than that the same thing should be doubly paid for." "The individual Members of the Corporation," said Mr. Justice Lawrence, "who have subordinate rights against the Corporation, must assert these against the sum paid to the Corporation in respect of these Advowsons. I am very far from saying that the Fellows have not such a right. I only decide that they have it not against the Commissioners." These judgments, pronounced upon Appeal, and after long deliberation, by Judges of high authority, contain clear expressions of opinion as to the existence of a legal right of succession to the Clerical Fellows, and as to the fund out of which they ought to receive Compensation for the loss of this right of succession.

We submit that our position in respect of these Livings is precisely similar to that of the Chancellor and Prebendaries of Christ Church, Dublin, in respect to the Benefices named in the 46th section of the Irish Church Act, to whom the Irish Church Temporalities Commissioners, as directed by that section, awarded Compensation.

In support of this view, we beg to refer the Royal Commissioners to the decision of the Arbitrators in the case of the Advowson of Drungogon, in the county of Cavan. The Arbitrators in the case were the present Lord Chief Justice of the Queen's Bench, on the part of the Irish Church Temporalities Commissioners; Dr. Anthony Trill, F.T.C.D., on the part of the Claimant; and the Rev. Joseph A. Galbreath, F.T.C.D., as Umpire. It will be seen, by the result of this Arbitration, that a considerable sum was granted to the Claimant, for the loss of his right of presenting himself, in addition to the sum already awarded to him by the Church Temporalities Commissioners, for his loss, as Lay Patron, of the Advowson merely.

We desire, therefore, to lay before the Commissioners our claim to Compensation for the loss we have sustained in consequence of being deprived by the Irish Church Act of our right of succession to the Livings which, previous to the passing of that Act, were vested in the Corporation of Trinity College, Dublin; and we, at the same time, beg to submit that the sum of money received by the Corporation of Trinity College, Dublin, as Compensation for the loss of its Advowsons, should be held to represent the Livings in respect of which it was given, and that we have the same rights against this fund as we should have had against the Livings, if still subsisting.

(Signed),

JOHN W. STURGES, D.D.  
BENJAMIN DICKSON, D.D.  
JAMES W. BAXTER, M.A.  
EDWARD M. CONNER, M.A.  
THOMAS K. ABBOTT, M.A.  
THOMAS T. GRAY, M.A.  
JOHN P. MAXWELL, M.A.

## APPENDIX VI.

## STATEMENT of the CLAIMS of the CHURCH of IRELAND with reference to the DIVINITY SCHOOLS, submitted to the DUBLIN UNIVERSITY ROYAL COMMISSIONERS.

APPENDIX VI.  
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Statement of the claims of the Church of Ireland with reference to the Divinity School.

The Committee empowered by the Synod of the Church of Ireland to represent them before the University Commission, beg to submit the following statement with respect to the Divinity School of Trinity College:—

The Commissioners will be aware that Trinity College has, since its foundation, been the school in which the Irish Clergy have been trained. The supply of Clergy to the Irish Church is stated in the Statutes to have been the principal object for which Trinity College was founded. The Fellows were not only, with two or three exceptions, obliged on pain of deprivation, to take Holy Orders, but on their election each took an oath that he would make Theology the main object of his studies. Accordingly, the body of Fellows has always included in its numbers many learned divines, from whom theological students have received professional as well as secular instruction; and for many years past the Irish Bishops have made it an ordinary condition of Ordination that the candidates should produce the certificate of the Trinity College Divinity School.

Ever since the passing of the Dublin University Act of 1873 the Synod has felt the greatest anxiety as to the effect of that Act on the Divinity School. Not that there has been dissatisfaction with the present condition of the School, with which the Act was constructed so as not to interfere, the Divinity professorships being expressly excepted from its operation. But at the time the Bill was framed, it was foreseen that it would indirectly affect the Divinity School in such a way that further legislation of some kind would at a future time become absolutely necessary. The Divinity School, like the rest of the College, has been under the government of the Provost and the seven senior of the Fellows. By the Statutes of the College these have almost all been Clergymen, and they have always possessed the full confidence of the Church, as does the present governing body of Trinity College. But the Fellows in future not only may be all Laymen, but need not even be members of the Church. The Divinity School of Trinity College will be practically lost to the Church of Ireland whenever it happens that the body which appoints the lecturers, which controls their teaching, and which prescribes the course of study, consists of persons either not belonging to the Church, or who, though nominally adhering to it, do not enjoy the confidence of its members in matters connected with Theology.

Beside the injurious effect of the Act of 1873 on the future government of the Divinity School, it threatens in another way to destroy the efficiency of the School. As the law stands at present the Regius Professor of Divinity must be chosen from among the Fellows or Ex-Fellows. There was no inconsiderable in this arrangement as long as the Fellows were almost all Clergymen, and from their leisure and studious habits the Clergymen in the Church most likely to devote themselves to theological reading. But as there is no obligation on future Fellows to study Theology, it is possible that the body to which the office is now limited might not furnish a single person competent to fill it, and, it is certain that in any case the choice of the electors would be most injuriously restricted. Even at the present moment there are so many of the Fellows who have not taken Holy Orders that if a vacancy occurred immediately, the choice would be among a considerably smaller number of persons than on the occasion of former vacancies.

It has been felt that even the immediate loss of the Divinity School to the Church of Ireland would be a less evil than this prospective loss; for if the Divinity School had been immediately taken away, no doubt

compensation would have been provided, such as was given in the case of Maynooth and of the Presbyterian Theological Colleges. But no such compensation is likely to be given if the loss is postponed till these precedents have had time to be forgotten; besides that the delayed loss would be likely to happen as the result of a number of successive changes, no one of which might seem to present a sufficient claim for compensation. The Synod has, therefore, been exerting itself ever since the passing of the Dublin University Act of 1873 in order to elicit such a settlement of this question that the Church of Ireland may not be placed in a worse position with respect to the education of its Clergy than the other religious denominations affected by the Act of 1869. When that Act was before Parliament it was recognised that the withdrawal of public aid from an institution for clerical education demanded more cautious legislation and more liberal provision for existing interests than even the disendowment of a Church, and accordingly, Parliament dealt in the most liberal manner with the College of Maynooth and the Presbyterian Theological Colleges affected by that Act. The result has been that these institutions have now permanent endowments producing incomes nearly, if not quite, equal to that which they enjoyed before the Act of 1869.

If the means at present available for the education of candidates for Orders are not permanently secured to the Church, two sources present themselves from which similar compensation may be made, and on either of which the Synod considers that the Church has just claims, viz., the fund administered by the Irish Church Commissioners and the funds of Trinity College. As in the case of Maynooth and of the Presbyterian Colleges, compensation had been made out of the fund administered by the Church Commissioners, it was out of the same fund that the Church of Ireland, in the first instance, attempted to obtain compensation. Accordingly, the Synod both memorialised the Government that the precedent established in the case of the other religious bodies should be followed in the case of the Church of Ireland, and also petitioned Parliament to the same effect. The Secretary to the Divinity School Committee received an answer to their memorial from the Private Secretary of the Prime Minister, declining, on the part of the Government, to entertain the question until the whole subject of the distribution of the Church surplus came before them for consideration. The Committee of the Synod greatly regretted this reply, not only because it left the question unsettled for an indefinite time, but also because it was a refusal to concede to the Church of Ireland what was granted to the other religious bodies, provision for the education of whose Clergy was not postponed till the ascertainment of a surplus, but was regarded as a claim to be satisfied before any surplus could be said to have arisen. As there are some parts of the Church's loss in connexion with the Divinity School which, as it will presently appear, cannot fairly be made good from any other source, the Church can only hope that its case may be fully considered by Parliament when they come to deal with the whole question.

The claim of the Church on Trinity College is that on which the Commissioners are directly called to pronounce. It is needless to say much to establish the claims of the Church of Ireland on that Institution. It seems not unreasonable that whatever claims the Church fairly has should be satisfied out of the funds hitherto devoted to its service, before those funds are applied to any new purpose. It is not necessary to speak of funds which the Board hold only as trustees, having been given by the donors specially for the uses of the Divinity School; for it may be affirmed that

APPENDIX  
B.Statement of  
the claims of  
the Church of  
Ireland with  
reference to  
the Trinity  
School.

these funds will, under any circumstances, be carried out. But it must be borne in mind that a considerable portion of the general funds of Trinity College were derived from private benefactions by persons deeply interested in the welfare of the Church of Ireland; and though the matter may not admit of legal proof, there can be little moral doubt that, in many cases, the object intended by these benefactions was the assistance of the Divinity School of the Church of Ireland, that being at the time the main work carried on at Trinity College. In putting forward the claims of the Church of Ireland against the funds of Trinity College the Synod are very far indeed from being actuated by hostility to an Institution with which the Church has been so long connected. On the contrary, they feel that in the interests of that Institution itself no more profitable application of its funds could be made than one which would secure the connexion with it of the theological students of the Church of Ireland, who have hitherto furnished so large a proportion of the students of Trinity College. In the Bill brought in by Mr. Gladstone in 1873, while he retained the pledge made in his former speeches—that the Church of Ireland, on having its Divinity School, should be dealt with on the same principles as were applied to the other religious bodies in the Act of 1869—he made the compensation come, not as in their case, out of the Church funds, but out of the funds of Trinity College. In the same Bill, however, it was proposed to apply a large sum out of the Church funds for purposes of secular University education; and it is obvious that that the same thing was done under a different form. And it would be equally in the power of Parliament, if it judged it for any reason convenient, that the claims of the Church of Ireland should be satisfied from the funds of Trinity College, to provide by a grant from the Church surplus that the interests of secular education should not suffer.

Although as has been stated, the principle of compensation to the Church of Ireland was fully conceded in Mr. Gladstone's Bill, yet if that Bill had ever passed into Committee it was the intention of the Synod to have urged that the claims embodying these principles had not been drawn up so as to carry them out with equal justice. The amount of compensation, in fact, which they would have given to the Church would have been a mere fraction of what was given to Maynooth: the reason of the difference being that in estimating the amount annually spent on the Divinity School of Trinity College only the salaries paid to the Professors of Theology were taken into consideration, whereas in the case of Maynooth there was also taken into account not only salaries paid to professors of secular learning, but also the large amount paid in bursaries and vestestations of students, the compensation for the latter loss being almost entirely available as a permanent endowment for the institution in future, it being endowed with no life interests. It would have been contended that in estimating the amount spent on the Divinity School of Trinity College the whole income of the Clerical Fellows who were its teachers ought to be taken into account, and not the merely nominal sum which they annually received as special salaries for their duties in that School: because they undertook these duties not in consideration of those salaries, but as an incident of their position, which they had accepted knowing that the onerous part of the Divinity School would be a principal part of their work. It would also have been contended that there should be taken into account the loss of the Scholarships formerly confined to the members of the Church of Ireland, the holders of which were all required to attend Divinity lectures, and a large number of whom took Orders in the Church.

It was felt, however, that Trinity College could not be fairly called on to make good the whole of the Church's loss, and in order that no interference might take place with the funds hitherto devoted to secular instruction that the Church should limit its demands on the funds of Trinity College to the amount directly

expended on the Divinity School, it being at the same time arranged that in respect of secular instruction the Church should suffer no loss, but that its candidates for Orders should continue to have the same facilities as heretofore for continuing their strictly professional education with a course of secular education in Trinity College. And such an arrangement is what on every ground the Church would prefer, it being most in accordance with the feelings of its members that candidates for the clerical and for the secular professions should receive their education together.

And here it may be observed that it was the opinion of many that the fund received by Trinity College, in compensation for the loss of its advowsons, was one peculiarly applicable to meet the claims of the Church of Ireland, both as being not already appropriated to any other purpose which might suffer from its withdrawal, and also as being in its origin so closely connected with the Church. It is true that as on the vacation of his office by a Fellow accepting a living a vacancy was created which was filled up by an examination mainly in literature and science, the indirect result of the College loss of patronage was a diminution of the encouragement given to these studies, and therefore there arose a convenience to apply the advowson money to the foundation of new fellowships or other prizes for proficiency in them. But certainly the purpose for which the patronage of these livings was bestowed on the College was not the encouragement of literature and science, but the good of the Church, to which it was expected that the College would supply a number of learned Clergy; and the reward of theological learning in those whose special business it was made to cultivate it. Further, it was felt that even if the whole advowson money were applied in the foundation of new Fellowships, it would fall very far short of placing the College in the same position in which it had been before the loss of its patronage, and therefore that the indirect injury done by the Act of 1869 to the interests of literature and science would of necessity have to be eliminated when the Church surplus came to be distributed, until which time the consideration of this question might well be postponed. Whatever may be thought of the direct claim of the Church on this fund, its existence will facilitate the satisfaction of her claims on the general funds of the College, for it will be obviously expedient for many reasons to capitalize whatever may be fairly claimed from the College for the purposes of the Divinity School, and the possession of the advowson fund makes it easy for the College to do so; and whatever annual income now spent on the Divinity School will be set free by such an arrangement will be as available for such purposes as the creation of retiring places or the foundation of new fellowships as if the fund had been kept untouched. Thus the proposal to apply the advowson fund for the purposes of the Divinity School is hardly more in appearance than in reality to other plans which have been proposed for dealing with that fund.

The Board of Trinity College, without admitting that the advowson money was applicable to the satisfaction of the claims of the Church of Ireland, expressed themselves willing to co-operate in a plan by which it should be secured that the amount at present spent on the special purposes of the Divinity School should continue to be applied to the same objects. The following resolutions passed by the Board were communicated by the Provost to the Synod in 1879; and the plan was accepted by the Synod and a committee appointed to confer with the Board as to carrying it into effect:—

"I. That the control and management of the Divinity School be transferred to a council appointed by the Church of Ireland, reserving the statutory rights of the existing professors and lecturers.

"II. That on the vacancy of any professorship or lecturership in the Divinity School, a sum equivalent to the salaries and payments made to such professor or lecturer shall be paid annually to the Representative

the Body of the Church of Ireland towards the maintenance of the Divinity School, on the following condition, viz., that the students of Trinity College shall continue to receive instruction in the school as hitherto, without charge.

"III. That the students in the Divinity School shall be allowed to continue as at present to have the use of the Lecture-rooms in Trinity College for Theological instruction; provided that the lecturers are subject to ordinary collegiate discipline, and that they accommodate their time of lecturing to the requirements of secular instruction in Trinity College.

"IV. That the Board of Trinity College are willing to confer a similar privilege on any other religious body desirous that its candidates for orders should be instructed in Trinity College."

The Committee accordingly had a conference with the Board, in which they expressed their approval of these resolutions, except that in reference to No. 2, they suggested the advisability of effecting the security of the pecuniary part of the arrangement by capitalizing the proposed annual payments, and handing over such capital sum to the Representative Body in trust for the purposes of the Divinity School. The Board referred the scheme to their legal advisers, who reported that an Act of Parliament would be necessary in order to give effect to the plan. The Committee accordingly had the draft of such a Bill prepared, and sent it to the Board, asking for their co-operation in submitting it to the Government. The Committee were informed by the Registrar of the College in January last that the Board had not come to any decision on this request, and also that there had a different scheme under consideration.

Negotiations between the Board and the Committee were interrupted by the announcement on the part of the Board that they had applied to the Government for a Queen's Letter approving the advocation fund for the carrying out of a scheme of retirement for Fellows and Professors. Although, as has been stated, a difference of opinion has existed as to whether or not this is the fund which is properly applicable to satisfying the claims of the Church of Ireland; yet, inasmuch as many held that it was that which was peculiarly applicable to this object, and as in any case its existence facilitates the discharge of

the equitable claims of the Church on the funds of the College, the Committee felt that they would neglect their duty if they allowed it without remonstrance to be applied to another purpose before the claims of the Church of Ireland had been fairly weighed. For the Church would then be exposed to the risk that it might hereafter be ruled that it had been entitled to compensation, but had by its own neglect suffered the funds to be diverted elsewhere, from which compensation ought to have been made. The Committee, therefore, addressed the Government asking them not to advise her Majesty to issue the proposed Queen's letter, until the question of the Divinity School had been at the same time considered, and some arrangement come to satisfactory to the Church of Ireland. The Committee acknowledge that by advising the Queen to appoint the present Commission the Government has completely satisfied their wishes in this matter.

The Committee, therefore, beg the Commissioners to give their best consideration to the case they have laid before them on behalf of the Church of Ireland. They will be happy to give, either by *visu* voce representation or by written statement, any further explanation the Commissioners may desire, either as to their general views or as to the details of any particular plan which may recommend itself to the Commissioners as likely to effect the best foundation for a settlement of this question. The Committee have only to add, in conclusion, that the Church of Ireland has no desire for a separation of its Divinity School from Trinity College. It would rather be its wish that the School should remain in as close connection with the College as the alterations made in the charter of the governing body of the College by the Act of 1873 will permit. The Church would have no objection to having its Divinity School connected with a University whose business and whose government were open to members of all religions without distinction, and would be well content that its students and teachers should be subject to the general discipline of such an institution; but the Church could not recognize the Divinity School as less if its professors were appointed and its course of study regulated by persons of a different religion.

APPENDIX

VI.

Statement of the Church of Ireland with reference to the Divinity School.

## APPENDIX VII.

STATEMENT submitted to the DUBLIN UNIVERSITY ROYAL COMMISSION by some of the Fellows of Trinity College, with respect to the proposed separation of the Divinity School from Trinity College.

The undersigned Fellows of Trinity College avail themselves of the permission of the Royal Commissioners, conveyed in the letter of their Secretary to the Registrar of Trinity College, to submit reasons which, in their opinion, render it inadvisable that the School of Divinity now established in Trinity College should be severed from its present connexion with the College.

By reference to the Charter of Queen Elizabeth, which was confirmed and extended by Charles I., it appears that Trinity College was not established or endowed specially or mainly for the education of the Clergy of Ireland. The Charter states that the object of the Foundation was, that the youth of Ireland should be piously and liberally educated; that they should be assisted in the pursuit of learning and in the cultivation of virtue and religion; and, in order to carry this object out to the fullest extent, the Students have been granted, by the Charter of Elizabeth, the right of obtaining Degrees, in proper time, in all Arts and Faculties, including Theology. The Act of Parliament of the present reign, which abolishes tests, declares that it is expedient that the benefits of Trinity College, and the University of Dublin, and of the Schools in said University, as places of religion and learning, should be freely accessible to the nation;

and the Act declares that, so long as the University continues to teach and grant Degrees in Theology, the Professors and Lecturers in Divinity shall be continued from the operation of the Act. As long as the present Charter remains in force, the University must continue to grant Degrees in Theology; and Trinity College has always given instruction, in conformity with the spirit of the Charter, in all Faculties in which it grants Degrees (except, perhaps, Music).

No Fellow of the College will in future be required, as a condition of holding his Fellowship, to take any religious test or to be ordained to Holy Orders. There is nothing, however, which discourages a Fellow in future from becoming a Clergyman if he thinks fit to select that profession; on the contrary, the existing Statute requires the Tutors (who must be Junior Fellows) daily to attend to the culture of their pupils in piety and literature, on pain of being deprived of their pupils. The Deans are appointed to see that piety to God, as well as sound morality, is preserved among the Students. One of the Senior Fellows must be elected annually as Censor, to see that the Students are instructed in Sacred Literature by his residents; and the College Chapel must be kept open, and morning and evening prayers offered, every day in it. All these duties incident to a Fellowship would

APPENDIX

VII.

Statement by some of the Fellows of Trinity College, with respect to the proposed separation of the Divinity School from Trinity College.

APPENDIX  
VII.

Statement by  
some of the  
Fellows of  
Trinity College,  
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Divinity School from  
Trinity College.

require that as many as possible of the Junior Fellows should voluntarily become Clergymen, in order more efficiently to carry out the religious instruction of the Students, which, as before stated, is a fundamental object of the Foundation of the College. It may be added, that the most prominent men of the party which seeks the abolition of Clerical Fellowships in the Colleges of Oxford and Cambridge freely admit that there must be some members of the Governing Body of each College in Holy Orders, in order that the religious instruction of the Students, and the Services of the Chapels, should be maintained, and that such a religious tone should be given to the life of the members of the College as the parents of the Students would naturally desire.

From the earliest period of the history of the College, Divinity Lectures were given to the Students, and specially to the Bachelors of Arts. Archdeacon Tusher was appointed to the Professorship in the year 1607, and the Lectures which he delivered have been preserved and printed in his works. It was at that time the custom, and it has continued until a very recent period, that in the several Colleges of the English Universities all Students were required to attend Divinity Lectures; and doubtless all the Students in Trinity College, and specially the resident Bachelors of Arts, attended the Lectures of the Professor of Divinity—indeed, until a very few years ago, all Graduate Scholars, whether they were Candidates for Holy Orders or not, were obliged to attend these Lectures, on pain of suspension from their salaries. The College Statute of George III., which regulates the present Professorship of Divinity, does not by any means confine the labours of the Professor to the education of Candidates for Holy Orders. The words of the Statute are as follows: “Cum vero permixtum refert ut *juniores Academicis*, illi *presertim* qui *sacris ordinibus destinantur*, in *sacris literis et religionis Christiane doctrinis* diligenter erudiantur, in *quoniam* *principes* *divinae* *fundationis* *hinc* *Collegium*.” It appears by the College Registry, October 27, 1715, that Archdeacon King gave £300 (afterwards, in 1729, increased to £1,600) to found a Divinity Lecture for the instruction of Bachelors of Arts. There does not appear to have been any Special School for the education of the Clergy at that time.

In 1790, the Irish Bishops drew up a list of books in which they decided to examine Candidates for Orders, and they sent it to the Board of Trinity College. The Board sent a copy of this list to the Professor of Divinity, the Lecturer, and his assistants, and recommended them to prepare the Students of Divinity, who attended their Lectures, in these books. At the same time, eleven of the twenty-two Irish Bishops signed an agreement that they would not ordain any Graduate of Trinity College who had not attended one Course of Lectures by the Assistant Divinity Lecturer, by the Divinity Lecturer, and by the Regius Professor of Divinity, respectively. This is the first apparent connexion between the Irish Church and the Divinity Lectures in Trinity College.

In 1833, the Divinity School was placed upon its present footing, and it has furnished Clergy in large numbers both to the English and Irish branches of the Church. All the Irish Bishops, and the majority of the English Bishops, required the Divinity Testimonial from Graduates as a necessary condition of Ordination. The Divinity School of Trinity College has not only furnished a large number of Clergy to the Episcopal Churches of the Empire, but not unfrequently Presbyterianerian Ministers have received part of their Theological Education in it; and, up to the present time, a year's attendance on Divinity Lectures in Trinity College has, in several instances, been taken by the Presbyterian Church in Ireland in lieu of a year's attendance in their own Colleges in Belfast. There are also instances of Ministers of other Protestant Dissenting Bodies receiving instruction in the

Divinity School. If this School were to become attached to one religious body of the country, and separated from a National University, it is not at all likely that English Students who are Candidates for Holy Orders in their own country, or future Ministers of other religious communions, would continue to resort to it for common Theological training. In fact, it has hitherto sustained a high reputation in England and Ireland, mainly because it is connected with an ancient seat of learning, and reflects the teaching of the Church at large, and not the narrow views of any peculiar school of thought in the Church. If the control of its teaching were removed from an Independent body, as the Board of Trinity College, there are grounds for fearing that it might reflect the Theological views of one party in the Church, and in this case it would sink to the level of one of the English Theological Colleges, and would forfeit the high reputation which it has always maintained with the English Bishops.

It was before observed, that it will be always of importance for the large mass of Irish Protestant Clergymen who are likely to frequent Trinity College, that several of the Junior Fellows should be Clergymen of the Irish Church. The parents of such Students will, generally, insist upon the imbibition of religious knowledge and religious habits upon their sons. At present, a Junior Fellow who is disposed to take Orders has the prospect of a place in the Divinity School to induce him to make the study of Theology the business of his life. Should these places be removed from the control of the Governing Body of the College, and placed at the disposal of an external Body, to whom his attainments will be unknown, he would have little prospect, whatever might be his merits, of such an appointment, as, for obvious reasons, he could not expect to be able to compete with external Clergymen who were ones before the public; and not having the reasonable expectation of such clerical employment as would be compatible with his duties as a Fellow, he would not have any reason to seek Holy Orders, and the College would be left without the services of any Clerical Fellows to give religious instruction to the Students, and to carry on the Services of the College Chapel in accordance with the requirements of the Statutes.

It may be said the government of the College may, in future years, be vested in a Body some of whose members may not be of the religious views of the Irish Church. This will be a distant contingency, and it may be easily met by a Royal Statute which will enact that, in cases where any question connected with the Divinity School shall come before the Board, the place of any Senior Fellow who is not a member of the Church, shall, *pro hoc vice*, be taken by the next Junior Fellow, in the order of seniority, who is a Churchman. This will be no novelty in the arrangements of the College, as, until recently, the Board for the election of Fellows was constituted in a manner different from the ordinary Boards; and, in fact, two Boards constituted on different principles have, in such cases, met on the same day.

We wish to add, that we have no reason to believe that the separation of the Divinity School from Trinity College has been called for by any considerable number either of Clergy or of laity in the Irish Church, or that it would be generally approved of.

JOSEPH CARSON, D.D., Senior Fellow of Trinity College.  
JOHN A. MALTY, D.D., Senior Fellow of Trinity College.  
THOMAS STACE, M.A., Senior Fellow of Trinity College.  
SAMUEL HAUGHTON, M.B., Fellow of Trinity College.  
JOHN W. STURGES, M.A., Fellow of Trinity College.  
JAMES W. BARLOW, M.A., Fellow of Trinity College.  
RICHARD M. COOMER, M.A., Fellow of Trinity College.  
THOMAS K. ARBUTT, M.A., Fellow of Trinity College.  
THOMAS T. GRAY, M.A., Fellow of Trinity College.

## APPENDIX VIII.

STATEMENT submitted to the DUBLIN UNIVERSITY ROYAL COMMISSION by the PROFESSORS of TRINITY COLLEGE who are NOT FELLOWS.

APPENDIX  
VIII.

Statement by  
the Professor  
of Trinity Col-  
lege who are  
not Fellows.

Up to a comparatively late period, substantially the entire work of the College was carried on by the Fellows alone, inasmuch as the subjects which constituted the general Education given in Trinity College were Classics, Mathematics, and Moral Science, i.e., the subjects in which Fellowship Candidates were examined. It was then natural that the few existing Professors should be selected from the ranks of the Fellows, among whom were to be found a number of men whose capacities were guaranteed by the Examination they had passed, and whose interests were inseparably bound up with the Institution to which they belonged. But, as the progress of Science made itself felt in new departments, other Studies, in addition to the earlier pursuits of the University, required importance, and demanded admittance into the Curriculum. Thus room had to be made for the Natural Sciences, and for Modern Languages and Literatures, along with the Mathematical and Classical Studies of former times.

In accordance with this change in the development of knowledge, no corresponding change was made in the direction of securing Fellows competent to perform the new duties. The result was, that it was found necessary to select from outside the body of Fellows men eminent in special branches of study to fill the offices and perform the duties of Professors in the several departments in which they had acquired distinction. This course continued to be followed until the Professoriate became a large and important body of teachers. We find that at the present time, while the Junior Fellows (the only teaching body of the College beside the Professors) number 23, the number of the Professors who are not Fellows is 24. Not only is some of the more advanced and special portion of the teaching given in the University entrusted to the Professors, but it is believed that, notwithstanding some disadvantages, they have, by their contributions to Science and Literature, forwarded a second great purpose of Universities, and have added in an important degree to the prestige of Trinity College, Dublin.

Unfortunately, however, the historical tradition derived from the period when Professors who were not Fellows were important representatives of the College has acted up to the present time in a way prejudicial to their position and interests. Even now it cannot be said that there exists that solidarity between the two branches of the teaching staff of the University, the Fellows, and the Professors who are not Fellows, which is desirable for the energetic and harmonious working of a great Institution. The creation of the Council, by which, for the first time Professors were given an opportunity of expressing their views as to what the interests of Education require in Trinity College, indicated the direction in which change had become indispensable. But still much remains to be done towards co-ordinating the body of Professors with their fellow-workers in the duties of Education, and making them an integral part of the College, with interests which are bound up with it.

If, in what has been said above, the importance of the body of Professors, both as regards numbers and duties, has not been over-estimated, it would seem a natural conclusion that the application of the Adweson Fund should not be made in the interests of any one portion of the teaching staff exclusively; nor would it, perhaps, be unreasonable to add, that the claims of Fellows cannot be regarded even as constituting a first charge upon the Fund. The Fellows recognise in the slowness of promotion in their ranks, and in the want of adequate retiring pensions, evils demanding a remedy. But, in the case of the Professors, a body of College Officers equally large and equally engaged in carrying on the education of

the place, there is no promotion whatever; and only in some instances has a pledge of any pension been given.

In order that a teacher should devote his best energies to College duties, he should feel his personal interests bound up with his work, and himself an integral part of the Institution; and to that end he should have (1), an assured position; (2), a direct interest in the success of his work; (3), expectation of promotion; (4), a provision for retirement when incapacitated through age or infirmity.

In the case of Fellows, their position is assured, once elected, they hold their office for life. Their incomes varying with the number of Students on the College Books, their interest are identified with those of the Institution. Promotion is secured to them; their incomes improve as they advance in seniority—the “stagnation” from which they suffer meaning only that they do not advance in seniority as rapidly as they might desire. Lastly, they have a certainty that for the whole of their lifetime they will either continue in the active duty of teaching, or, if by reason of seniority they be relieved from that work, they, as Senior Fellows, will enjoy a larger salary than they had before, and be given honourable duties in the government of the College. If, before becoming Senior Fellows, they are incapacitated for teaching, they may perform their work by Deputies; thus virtually retiring while retaining their right to Senior Fellowships.

In contrast with this, what is the position of the Professors who are not Fellows? Some among them are elected for five, some for seven years; and at the end of that period their offices are advertised for competition. Except in a few cases, their incomes are in no way dependent either on the success of their own Lectures or on the prosperity of the place generally. As a rule, they have no assurance either that their appointment will be permanent, or that their income ever will be larger than it was the first day of their appointment. It is, however, a fact, that permanency of tenure has lately been granted to several Professors, and that in some few cases an increase of salary to Professors has been made by the Board; but the existing arrangements cannot be considered as final, when regard is had to the smallness of the salaries received by some of the Professors who devote themselves wholly to forwarding the study of their several branches of learning. Further, in the Decrees recently made, with reference to certain Professors, it is provided that in no case shall the amount of the pension exceed two-thirds of the Professor's salary, an arrangement which might be just if the salaries of the Professors were large, but when the entire salary is small, its reduction in the case of one who has spent his life in the service of the College is a manifest hardship, which would be still greater in the case where the larger portion of the Professor's income was made up of fees paid by Students.

While by the terms of the appointment of some few of the Professors a retiring pension, under the above-mentioned conditions has been guaranteed, it must be remembered that, as no special fund has been set apart for such a purpose, these pensions will have to be charged on the general revenues of the College—a circumstance that would necessarily tend to reduce the retiring allowances to a minimum, besides precluding the possibility of any further expansion of the Professorial body, or of its ranks.

That election to a Professorship should, in the first instance, be for a term of years, is an arrangement that may or may not be judicious; but every argument is in its favour which applies with equal force to the election of a Fellow, who, as such, is, to take an active part in the teaching of the College. It may, perhaps, be said that the difference of position already remarked



APPENDIX  
VIII.

Statement by  
the Professors  
of Trinity Col-  
lege who are  
not Fellows.

as existing between Fellows and Professors is caused by the fact that the one class of teachers is elected by Examination, and the other is not. If Examination be the most efficient mode of finding the best men in special subjects, then let it be extended to Professors as well as to Fellows. If it is not, why place at a disadvantage the teachers who have not been given an opportunity of competing in those subjects at an Examination? We believe that where a subject is important enough to form a part of the general education, and to require the teacher to devote his chief energies to the work of the place, he ought to

possess an equal interest in the place with the Fellows. This and could in the future be attained by widening the basis of Fellowship so as to allow of Fellows being elected for distinction in those subjects which at present form the departments of Professors.

The possession of the Advowson Fund affords an opportunity for placing the whole Institution on a broader and sounder basis, and this opportunity cannot be viewed from the point which regards only the interests of the present time, or of but one section of the teaching body, however meritorious.

APPENDIX  
IX.

Statement of  
the Rev. H.  
Lloyd, D.D.,  
Provost.

## STATEMENT of the Rev. H. LLOYD, D.D., Provost.

I avail myself of the permission of the University Commissioners, conveyed in the letter of their Secretary to the Registrar of Trinity College, to offer the following suggestions on the subjects of their inquiry. While I agree generally with the proposals of the Board on the question of the retirement of Fellows who may become permanently incapacitated for the efficient performance of their duties, I yet believe that the measure will be one of limited operation. Cases of manifest incapacity will, probably, be few in number; and the Visitors will be reluctant to extend further the jurisdiction provided in the proposed Statute. I would therefore suggest the following additional measure, which seems to effect some of the objects proposed in the Draft Statute, without external interference.

Let the number of Senior Fellows be increased by two. This may be done without encroaching unduly on the funds of the College, if at the same time the two Senior Tutorships were abolished, and the difference of emoluments supplied from the College chest. The immediate effect of the adoption of this measure would be the elevation of the two senior of the Junior Fellows to the Board, and the advancement of the two non-Tutor Fellows to the rank of Tutors, while each of the other Junior Fellows would gain a step in promotion. If this suggestion were adopted, I think the provision of the Statutes which calls up a Junior Fellow to supply the place of an absent Senior might advantageously be repealed.

The foregoing arrangement, however, would not suffice. The existing defects of the Fellowship system in Trinity College appear to be two—namely, first, the small inducement which it now offers to young men of talent to prosecute the higher studies in this University, as compared with that afforded elsewhere; and, secondly, the great length of time during which the work of Teaching must be continued. No modification of the existing system can remedy both evils. An increase in the number of Fellows, while it would increase the number of Fellowship vacancies, would, on the other hand, lengthen the time of reaching the Board, and conversely. The only means by which, as it appears to me, both evils may be effectually dealt with are—to reduce the number of Fellowships tenable for life, and to supply their place by offices of another class. I would accordingly suggest that the number of life Fellows be reduced to 27, of whom 9 shall be Senior and 18 Junior; and that (instead of the Students), two septennial Fellows be elected in each year, either on the result of the answering in the Courses for Modernism, or after a special examination in subjects appointed beforehand. The Fellows so elected should hold office for seven years, or until they were incorporated into the permanent body; and they should receive salaries—say, of £200 a year each. The septennial Fellows should not be required to perform any Academic duty; but those among them who were willing to accept the office might be appointed Assistant Lecturers, with additional salaries—say, of £100 a year.

It is probable that about one-half of the septennial Fellows would from the first prepare to enter one of the learned professions, to which their Academic dis-

tinctions would furnish a favourable introduction, and their salaries a reasonable help. The remaining half would, probably, become Candidates for life Fellowships. The Assistant Lecturers would be recruited from both classes. Their number might be allowed to vary according to the wants of the College; but, under existing circumstances, seven would probably suffice.

Such temporary Fellowships, attainable at an early age, would seem to furnish the stimulus at present so much needed; while, at the same time, they would supply men of various acquirements to fill the offices of Lecturers, and so adapt the teaching of the College to the wants of the time. On the other hand, the diminution in the number of life Fellowships would lessen considerably the time in which the Junior Fellows would hereafter be engaged in Academic Teaching, and lower the age of their appointment to the Administrative Offices. But in order to derive the full advantage of those arrangements, the life Fellowships should be attainable at an early age. This may be effected by appointing a limited, but advanced course for Examination, account being taken of the answering of the Candidates at the Degree Examination. By these means the Examination might be made to test the ability of the Candidates, rather than the extent of their knowledge, and by varying from time to time the subjects of Examination, highly qualified men in various branches of knowledge might be introduced into the permanent body. It would not be unreasonable to expect that a life Fellowship might be obtained before the Candidate had reached the standing of Master of Arts; and the many years of exhausting toil now spent in preparing for the Fellowship Examination would be saved, to the great advantage of the men themselves, as well as that of the Institution in which they were thus reformed to labour.

It is hardly necessary to observe, that the proposed diminution in the number of life Fellowships should be effected gradually—as by creating to all more than one vacancy in any year, whatever the number of actual vacancies.

I have only a few words to offer on the other question which is under the consideration of the Commissioners. I earnestly hope, for the sake of the College, no less than for that of the Church of Ireland, that the future relation of the Divinity School to the University may be settled upon the basis of the Resolutions of the Board of November 3, 1874, and January 15, 1876. I believe it to be of the utmost importance to both bodies that the connexion of the Divinity School with the College should be as close as is compatible with a separate and independent government; and I believe that such connexion can be maintained only by means such as are there proposed. I would, however, suggest the adoption of the reasonable proposal contained in the second of the Resolutions of the Divinity School Committee, of May 31, 1876.

H. LLOYD,  
Provost of Trinity College.

Trinity College,  
May 3, 1877.

## APPENDIX X.

STATEMENT OF A. S. HART, Esq., LL.B., Vice-Provost.

APPENDIX  
X  
Statement of  
A. S. Hart,  
Esq., LL.B.,  
Vice-Provost.

In compliance with the suggestion of the Secretary of the University Commissioners, I venture to offer some observations on the subjects of their inquiry, namely, the rate of succession to Fellowships; the future prospects of the Divinity School; and the application of the Advowson Fund.

With regard to the first subject, it appears from inspection of the University Calendar, that the number of Fellows elected during the last 100 years was 114, and that this corresponds nearly with the average rate of succession, but that, unfortunately, this rate has been by no means uniform; for on taking consecutive periods of 13 years, I find that, from 1823 to 1835 the number was 15; from 1836 to 1848 it was 27; and in the last 13 years it was only 9. This irregularity in the rate of succession has given rise to several evils. First, the reasonable expectation of at least one vacancy in every year (an expectation which is not much too high, even after the abolition of Church Patronage) induces some of the best scholars in almost every class to waste their energies in preparation for a possible examination, which fails to occur within the expected time, and thereby to injure their chance of success in some other pursuit; secondly, the disappointment of a few of these distinguished scholars has the effect of deterring their successors from similar studies, and so when an unusually large number of vacancies occur, it is impossible to find a corresponding number of sufficiently prepared Candidates; and thirdly, when a large number of Fellows of nearly the same age are elected, as, for example, in the interval between 1836 and 1848, the natural result is the inconvenience now apprehended, that all these men will become superannuated at about the same time, and that there is an insufficient number of young and active men. While on the other hand it may probably be found, a few years hence, that the rate of succession to Senior Fellowships will be inconveniently rapid, inasmuch as the present practice of excluding Senior Fellows from the office of teachers makes it undesirable that promotion to this post should take place in less than 15 or 20 years.

Under these circumstances, I think that no good object would be gained by a permanent increase in the number of Fellows, or by increased rapidity in the average rate of promotion to a Senior Fellowship, but that the existing evils would be most effectually remedied by an arrangement which would equalize the rate of succession to Fellowships, one Fellow being (as nearly as possible) elected in every year, and by a further arrangement for providing retiring places for Fellows who from any cause may become incapacitated for the discharge of their duties. This latter provision has already been made for Life Professors by the Board and Visitors, under the authority conferred on them by Royal Letters, 18 Viet.; and application has recently been made to the Government for authority to make a similar provision for incapacitated Fellows, and also for an enactment which would render the rate of succession more uniform. If this proposal is adopted, I think that it will in great measure remove the evils at present complained of.

It has been suggested that a scheme for superannuation of Fellows at a definite age would be better than the proposed arrangement, but I cannot concur in this view. It is clearly more desirable to remove incompetent officers at any age, than to remove those who are perfectly competent merely because they have reached a certain age; and as the funds available for

the purpose are limited, it would be useless to attempt both objects; it is also to be remembered that the chief duties of Senior Fellows are administrative, and can be satisfactorily performed by men of advanced age, if not otherwise disqualified.

Secondly, with regard to the Divinity School, I believe that it is generally admitted that it is for the interest both of the Church and of the University that there should be as much co-operation as possible between them in conducting this School. It is for many reasons desirable that in their secular studies the Clergy and Laity should be united as at present, and even in a great part of their professional studies the Candidates for Orders might profitably avail themselves of the Lectures of University Professors. The teaching of Greek and Hebrew, for example, does not involve the peculiar doctrines of any Church; and even in the subjects of Ecclesiastical History, Moral Philosophy, and Natural Religion, the University Professors might be found to give useful instruction. It will, however, be necessary that the dogmatic teaching in the Divinity School of the Church of Ireland should be under the control of the Ecclesiastical authorities of that Church, and they must, therefore, have the right of appointing several of the teachers who have hitherto been appointed by the Provost and Senior Fellows; and it would be only reasonable that a sum of money sufficient to pay these teachers should be transferred to the Divinity School from the College Funds, which would hereafter be relieved from this payment. This transfer of authority could be effected without any change in the existing arrangements of the School.

The Provost and Senior Fellows have already expressed their willingness to concur in some such arrangements, and also to enter into a similar arrangement with any other religious body which desires that their Ministers should receive their education in the University. The chief advantage which Trinity College would gain from such arrangements is, that the religious instruction of her Students who belong to any such Body would, of course, be superintended by the teachers in its Divinity School—an advantage which is at present possessed only by those Students who are members of the Church of Ireland.

Thirdly, as to the application of the sums of money received by Trinity College as compensation for the Advowsons and Rights of Presentation which were the property of the College. It appears that some of these Advowsons were purchased by the College, and that the others were granted by King James I., in precisely the same manner that other confiscated property was given by him to the College, at the same time, and under no other condition than the general one that all College property should be used for the benefit of the College. This object was generally attained in the present case by using the Right of Presentations for the purpose of creating vacancies among the Fellows; and it seems reasonable that the money now received as a compensation for this right should be used for the same purpose—with this difference, however, that future retirements should only be encouraged when beneficial to the College, although under the former system these retirements necessarily depended on the will of individual Fellows.

ANDREW S. HART,

Vice-Provost of Trinity College.

15th June, 1877.

## APPENDIX XI.

## STATEMENT of the Rev. THOMAS STACK, M.A., REGISTRAR.

Availing myself of the permission of the University Commissioners, I desire to offer the following remarks on the subjects to which their inquiries have been directed:—

1. Causes well known have brought about a state of things in Trinity College—as regards the succession of vacancies—which requires the application of remedial measures. With this view an important suggestion has been made by the Provost and Senior Fellows, with the approval of the Junior Fellows. It has been embodied in the form of a proposed Queen's Letter, and is now before the Commissioners. It is, in my opinion, good as far as it goes; but I have always felt that it is an imperfect remedy, and requires considerable additions, if a result permanently satisfactory is aimed at.

It is expected that, under the provisions proposed, there would be, on the average, one vacancy for Fellowship to be filled each year. This anticipation might be realized; but it appears, in my opinion—regard being had to the encouragement due to the talent and energy of the youth of the University—hat a meagre result. The ordinary case would be that, after (say) five years of laborious study—subsequent to the degree of A.B.—a candidate would each year succeed to a Junior Fellowship. According to existing arrangements (which it is not proposed to alter) the pecuniary value of that Fellowship would, for several years, be but small. It would, no doubt (barring the occurrence of War or other interfering cause), gradually, though slowly, improve; but it would not, according to reasonable anticipations, until after an incumbency of some thirty years or more, be equal to the income of those who are moderately successful in the career of the learned professions. When this came to be fully appreciated, a Fellowship in Trinity College, with its preliminary labour and risks, and its subsequent slender competence, would cease to be considered a prize. It is needless to point out the probable result. Our ablest and most energetic young men would carry their talents (as they have already begun to do) to the better markets offered elsewhere, and the University of Dublin would have to supply itself with its staff of Fellows and Professors from an inferior stock.

With the means at our disposal, there is no remedy for this evil but an expedient which has been used elsewhere with advantage, and which can be applied amongst us with the additional safeguards suggested by experience in other Universities. I mean the institution of Terminable Fellowships.

In the recent discussions relative to the Universities of Oxford and Cambridge, the value of Fellowships of this class, when limited in number and in duration, was generally recognised. The matter was much debated amongst ourselves lately, in reference to the present state of affairs in the College; and upon two occasions the Board were equally divided on the question of the institution of such Fellowships.

A more favorable reception of the proposal was, indeed, I think, by a difficulty as to the mode of appointing to the Permanent Fellowships. This, in my opinion, is got over by the plan proposed by the Provost in his Statement, which has been laid before the Commissioners. I agree generally [with some reserve as to details] in his suggestions as regards Septennial Fellows, and as to the mode of appointment of the Permanent Fellows. The Permanent Fellows are to be appointed, as heretofore, by Examination, though it is proposed to modify the scope of the examination; and the competition for these Fellowships is to be open, as at present, to all Graduates.

Candidates for the Septennial Fellowships should not be of higher than M.A. standing, as is the practice at Trinity College, Cambridge.

I believe that the institution of such Fellowships, two or more to be competed for each year, would offer prizes which would be highly valued by the able young men of the University. These prizes ought to be awarded as the result of a Special Examination, so as to leave the honorable distinction which belongs to the title of a Fellowship. Such a distinction would facilitate the advancement of the bearer in the line of life which he might select as most suited to him. His choice, though to be left free, would generally take the direction of the learned professions; and it may be observed that a Fellowship would furnish a strong recommendation for appointments in a department which is now assuming in England and elsewhere the proportions of a great Profession—I mean that of Schoolmasters.

I am strongly of opinion that the institution of such Terminable Fellowships, with their immediate advantages and distinction, and the facilities and prospects which they would offer for future advancement, would, perhaps, more than any other measure which could be adopted, tend to infuse fresh life and energy into our whole Collegiate system.

And here, I think, it is important to remark that our present Fellowship system has frequently led to the waste of talents which might be better employed in other ways. A young man of talent and energy has often applied himself, and with success, to obtain a Fellowship, because it is the crowning Honor of the Academic career. Having obtained it, he will not relinquish it, though he may have no true taste or vocation for academic life or pursuits. And in this way it has often happened that a man who might have been useful, or even brilliant, in some other career, has passed a comparatively useless and obscure life as the result of his Collegiate success.

The institution of Terminable Fellowships, while it would offer inducement and reward to the able young men of all classes in the University, would afford a means of obviating the evil to which I have referred, and would at the same time add to the ranks of the several professions, men of special academic culture and training, and in this way, as I believe, materially promote the public good. At the same time, the Permanent Fellowships would be filled by selected men (chosen by such an examination as is proposed by the Provost) who would have a special fitness and vocation for their work; and so the interests of the University would be better secured. I observe, also, that as is remarked by the Provost, a considerable addition to the teaching-power of the University would be derived from the Septennial Fellows. During the earlier part of their tenure, many even of those who destined themselves for other professions, would, for a time, while the knowledge and the occupations of their College career were fresh, devote themselves to the work of teaching, to their own advantage and that of the College. Many well-known instances of this kind have occurred in the English Universities, in the case of men who have afterwards risen to high distinction.

The funds at present expended in maintaining the Studentships (if not required for the establishment of Terminable Fellowships) might, I think, be better spent than at present, by dividing them among the several classes of Moderators, in the form say of Biennial Exhibitions, of different amounts, instead of confining them (as is now practically the case) to two Moderators.

While on this general subject, I may observe, in answer to an obvious objection, that, supposing the number of the Permanent Fellowships to be reduced—as proposed by the Provost—the teaching power of that body might still be maintained at its former amount—if the number of Tutorships (as has been often suggested) was reduced from its present large

number (say) to six. The Fellows thus liberated from the work of Tutors might do more work as Teachers than at present.

I add the following suggestion—though it bears but indirectly on the general subject—that the value of a Junior Fellowship would be greatly enhanced, if the present very inequitable mode of distributing incomes by means of what is known as “the Tutorial System” were abolished—and the income of the Fellow increased according to his length of service.

II. I would not add to the number of the Senior Fellows; there are at present enough for the administrative duties they have to discharge, and it does not appear to me that anything would be gained by converting the Senior Tutors into Senior Fellows.

III. The guaranteed life interests of the present Fellows precludes the application to them of any system of compulsory retirement; and the method of retirement recommended in the proposed Queen's Letter is probably as good as the case admits of; but for any Fellow hereafter elected, I think, with a view to keep up the due succession and regularity of vacancies in the body of Permanent Fellows, it would be well to prescribe a compulsory resignation on attaining the age of seventy years.

This might be effected by purchasing for each individual elected to a Permanent Fellowship a deferred Government Annuity, commencing at the age of 70. This would imply [supposing the amount of the Annuity to be £1,000 per annum, the average age of those elected to Permanent Fellowships to be 57, and one Annuity to be provided for each year] an annual expenditure of from £600 to £700. This would be a cheap price to pay for getting rid of the possible recurrence of stagnation-difficulties, for insuring a regular succession of vacancies among the Permanent Fellows, and for preventing the injurious results which are apprehended, from having a

Board containing, perhaps, several members of very advanced age. If such a plan as this were regarded with favour, its operation might, perhaps, be accelerated by voluntary arrangements made with some of the existing Fellows.

IV. As regards the Divinity School—I am much indisposed to any legislation which might have the tendency of separating the education of the Divinity Students from that of the general body of the Students, or of withdrawing it from the wholesome influence of the general government of the College.

It is, moreover, to be considered that our Divinity School contains, from time to time, many Students who look forward to employment in the Church of England, the Colonial Episcopal Church, and some even in the Dissenting Protestant Churches. For such a School the government might rather be desired of a University than of any special ecclesiastical authority. It will, according to the chances of human life, be from twenty-five to thirty years before the Board of Trinity College will be without a majority of clergymen in its body; and if it is supposed that it may ultimately come to consist chiefly, or altogether, of laymen, there seems to be no reason why the government of the Divinity School might not be conducted on a plan analogous to that of the existing University Council—according to the proposal which has been made by the Regius Professor of Divinity. I conceive that such a plan of management would be more advantageous to the Divinity School, the University, and the Church of Ireland, and more free from risk than any other which has been proposed.

THOMAS SEACE,

Senior Fellow of Trinity College, Dublin.

Trinity College,  
December 23, 1877.

## APPENDIX XII.

STATEMENT of the Venerable WILLIAM LEE, D.D. Archbishop King's Lecturer in Divinity.

TO THE MEMBERS OF THE ROYAL COMMISSION, &c.

In the following remarks as to the subject-matter of the Royal Commission for inquiring into certain matters connected with Trinity College, Dublin, I desire, at the outset, to observe, that I abstain from offering any opinion on the proposals of either the Prætor and Senior Fellows, or the Junior Fellows, respecting schemes of retirement. I confine myself to the question of the Divinity School, and the preservation of its present connexion with Trinity College.

I. I wish to express my dissent from the proposal to transfer the management of the Divinity School from the heads of Trinity College to any external body. My dissent is founded on considerations connected partly with the interests of religion, partly with the interests of the University itself.

(a) It seems to me to be essential to the interests of religion that the clergy of every religious denomination should not be destitute of the culture which enters so largely into the civilisation of the present age. The severance, however, of the Divinity School from Trinity College involves, as an almost inevitable consequence, the result that the future clergy of the Disestablished Church of Ireland are no longer—as a class—to receive a university education. It is very well to say that university students are to continue, when the Divinity School is separated, “to receive instruction in the school as hitherto without charge;” but a few moments' thought will confirm what experience has taught those who have studied the question—namely, that university students will not resort to an external school as to the character or efficiency of which there will be no guarantee whatsoever. An external institution of an inferior class will

offer no inducement to that large proportion of our Divinity Students who are now ordained in England. Even now, our B.A. Degree, together with attendance for one year in some one of the many theological colleges existing in England, is recognised by the English Bishops as sufficient qualification for Holy Orders; but destroy the university character of our Divinity School, and the entire class of English students who matriculate here for the purpose of joining it, will at once disappear, and this to the great detriment of Trinity College.

(b) When one remembers the social grade to which future candidates for the ministry of the Irish Church will probably belong, it can scarcely be supposed that their pecuniary means will enable them, in any case, to seek a university education. All that can be hoped for is to attract to a theological school of high character, a class of men fitted by their early training, and the culture which a university education supplies, to uphold worthily the interests of religion.

(c) The only possibility of maintaining a theological school at all in connexion with the Irish Church, seems to me to rest on the preservation of the present Divinity School on its present basis. It is in the highest degree improbable that Parliament will now sanction a large endowment, from whatever source, of any institution, in the interests of a Church which it has just disestablished; and without a considerable endowment—affording its teachers an income comparable to the average incomes held out by other professions to capable men—a theological school, apart from Trinity College, cannot be maintained in Ireland. Students of Trinity College, we are told, are not to pay any fees at all; while for others—the

## APPENDIX XII.

Statement of the Venerable WILLIAM LEE, D.D.

probable candidates for Holy Orders in the future—any fact which are not fixed at the lowest point, must be above their reach. For the present school, on the other hand, connected with Trinity College, a supply of competent teachers is at hand, and need not fail for the future, as I hope to show presently. The present salaries secure an adequate income for the two Chief Professors; and for the other Professors, as well as the Assistant Lecturers, the prestige of the University and the nature of the work, have always proved sufficient to attract an able body of teachers, although at a small remuneration. The transfer of the Divinity School with its present endowments to some external body will, no doubt, preserve the incomes of the two Chief Professors—unless, indeed, as is possible, those incomes be reduced to the amount deemed adequate for the clergy in the most important positions, in the judgment of their present paymasters, but, in such a case, the degradation of the school would begin at the top. And if this be not done, then no margin of any significance remains for the payment of the other Lecturers and Professors.

II. It will be said, of course, that the continued connection with Trinity College of a Divinity School, in the interest of any one religious denomination, is out of harmony with recent legislation. When it is borne in mind, however, that full opportunity is, by the consent of all, to be given to every other religious community, to endow a theological school in its own interest, just as the Chairs in the present Divinity School have been in past years endowed by private liberality; when the students, moreover, belonging to every denomination, can proceed in due course to their degrees in theology, it seems an extreme application of logic to sever the time-honoured connection with Dublin University of the school which produced Usher, and King, and Magee, and Graves, and Floghies, and Archer Butler, and Todd, and O'Brien, in order to reply the maxim, "*Va rictus*," to the institution which inherits their fame.

III. Turning now to the University itself:—The severance of theological study from a university is calculated seriously to lower its general character as a school of knowledge and of culture. To exclude from the curriculum the study of Theology is practically to exclude the study of Hebrew and the other Oriental languages; of Ecclesiastical History; of Greek and Latin, in their most important applications. The German Universities have never cast off the Faculty of Theology, even committing Theological Professorships to laymen: so as, in any case, to keep alive the soil for cultivating what has been truly named "the Queen of Sciences." The proposed transformation, therefore, of the Divinity School to external management, amounts to an actual degradation of an ancient University.

IV. The moral training of its students, during the years of their life most susceptible of good or of evil impressions, is no small part of the work of a university. It is a fact familiar to all who have studied the question, and have observed its bearings, that there is an amount of respect and reverence paid by students to those of their tutors and teachers who are laymen, which they do not pay to those who are laymen, however respectable. If moral influences, which seem inseparable from the office of the minister of religion, be absent; if there be no influence to counteract the unrestrained licence of modern speculation, a university necessarily becomes an instrument of evil, not of good, with consequences to the commonwealth which it is needless to specify. It is, therefore, greatly to be desired that a clerical element should be maintained among the Fellows of Trinity College, both in the interest of the University, and in the interest of the Divinity School, and in the interest of the Divinity School in its present status most largely confraternal; but to this should, I conceive, be added a change of our system, based upon a certain allocation

of the Advowson Fund, which I consider imperatively demanded by the existing condition and prospects of Trinity College.

V. The dearth of Fellowship vacancies in late years, and the certainty that, if there be no radical change in our system, the present stagnation must continue, are causes which point to the gradual decay of learning and culture in Ireland. With few exceptions, the flower of our youth—in fact, nearly all our distinguished graduates for some time past—have migrated to Oxford or Cambridge, attracted by the numerous prizes there held out to the various branches of scholarship, and disheartened by the closing of all avenues to distinction at home. I lay it down as a truism that without two vacancies for Fellowship every year, one for a Classical Fellowship, and one for a Science Fellowship (as Classical and Science Fellowships are understood in Dublin), the progress of our University will come to a stand. My suggestion, therefore, briefly stated, is as follows:—I would create twenty Decennial Fellowships; I would reduce the present number of Junior Fellows (permanently Fellows I should call them) to the original number of eighteen; I would abolish the fourteen studentships, which were, at best, a temporary remedy for the existing stagnation. Vacancies in the number of permanent Fellows I would fill up, without examination, from among the existing Decennial Fellows, according to the aptitude, in the judgment of the Board, exhibited in communicating knowledge; or according to the proficiency attained in some department of science:—room, however, being left, in the case of recognized eminence, for electing to the vacancy a Decennial Fellow whose Fellowship might have expired. The elector, as I have implied, should be the Board—for the constitution of the Board I would not alter. From the experience of many years I can bear witness to the wisdom and impartiality with which the Board have discharged their varied and delicate functions, in the government of Trinity College.

With some such modification of our existing system, I feel certain that (even when the Fellows are taken from the various religious denominations) there would be no lack of Fellows seeking Holy Orders in the Church of Ireland. Leaving out of sight the attraction of the study of theology, the Chief Professorships will hold out an incentive to natural ambition; and thus a supply of clergymen would be provided sufficient to uphold the high moral tone of the University, and to furnish the Divinity School with competent teachers.

VI. To complete the sketch which I have given, and to prove that it is not impracticable, I would give to each Decennial Fellow £250 a year, with his rooms and expenses, and this would require an expenditure of about £5,500 a year. To meet this expenditure, however, the suppression of the studentships gives £1,400 per annum, and the suppression of eight Junior Fellowships, i.e., of six Tutorial Fellows, giving, on a low calculation, £3,600; and of two non-Tutorial Fellows, giving, say £250 a year, there would be £4,350 per annum, thus leaving a charge of but £1,150 on the interest of the Advowson Fund.

This plan, of which I have sketched the merest outline, leaves a sufficient margin for any scheme of retirement which the present stagnation may render necessary, while it affords a means of reducing the number of Tutors, of which everyone now complains, and at the same time gives scope to Fellows released from the burden of routine work, for entering on the different paths of original research.

WILLIAM LEE,  
Archbishop King's Lecturer in Divinity.

34, Merrion-square, South,  
Nov. 3, 1877.

## APPENDIX XIII.

LETTER of the REGIUS PROFESSOR of DIVINITY to the REGISTRAR of TRINITY COLLEGE upon the future prospects of the Divinity School.

Trinity College, Dublin,  
December 29th, 1876.

MY DEAR STAGE,

You have asked me formally to lay before the Board the views concerning the future of our Divinity School which I had expressed in conversation with the Provost and Vice-Provost.

Its present condition is plainly anomalous. It is governed by a body which is now theoretically open to persons of all religions, and which at no distant time will actually be so. The Divinity School of Trinity College will practically be lost to the Church of Ireland whenever the body which appoints the Lecturers, which controls their teaching, and which prescribes the course of study, consists of persons either not members of the Church, or in whom, though nominally members of it, the Bishops who have hitherto recognised the Candidates of the School can find no confidence.

It is clearly just that the Church of Ireland should either, if it is to lose the Divinity School of Trinity College, receive compensation, such as was granted to the Roman Catholics and to the Presbyterians for the loss of the public support given to Maynooth and to the Presbyterian Theological Colleges, or else, if the Church is not to receive compensation, that the government of the Divinity School of Trinity College shall be so modified that the Church shall continue to enjoy the benefit of it.

Hitherto only the first of these alternatives has been tried, but with no very encouraging success. The Church's claim to compensation has not been disputed; but, there being two sources from which compensation might be provided—either the fund administered by the Church Commissioners, or the resources of Trinity College—the guardians of each of these funds appear to hold that the claim ought to be satisfied by the other. It seems to me, then, that it is well worth considering whether, instead of persevering in trying to find a solution by this method, a better cannot be found by the other alternative.

I believe that one of the reasons of the failure of the attempts that have been made to arrange an immediate separation between the Divinity School and Trinity College is, that nobody really wishes for such a separation. The members of the Church of Ireland are most desirous that the young men intended for Orders in their Church should not be trained apart from the laity, but that they should, as heretofore, share the studies and mix in the society of those intended for secular professions. They would regard the establishment of a Protestant Maynooth as a great calamity: and they would reject most liberal terms of compensation for the loss of the Divinity School in Trinity College, if they were given the alternative of the continuance of that school as at present, with some security for its permanent maintenance. On the other hand, it can be no little wish of any one interested in the College that it should give up the education of candidates for Orders in the Irish Church, who form no inconsiderable part of the members of the College. I find that out of 343 Students who became qualified by standing to join the Divinity School this year, 70 actually did so; from which it may be estimated that, notwithstanding the serious diminution of the number of the Divinity Students following on the Act of 1869, they still form nearly 30 per cent. of the entire number. And it is not unlikely that this proportion will increase; for the School seems to be showing symptoms of recovery from the great shock it received.

On quite other grounds aversion has been almost universally felt to the idea suggested by words of Mr. Everett's Bill—that the University should cease to give Divinity Degrees. It has been felt that Theology is an important department of study which would be

unworthy of the University to abandon. Those most anxious to maintain the non-sectarian character of the University have suggested that, though ceasing to provide teaching in Theology, it should continue to examine, and might bestow its degrees on those who exhibit sufficient learning, irrespective of their opinions. Others have suggested that teaching also might be provided by means of different Theological Faculties connected with different denominations.

It being, then, the desire of all persons interested in the question, that the Divinity Students of the Church of Ireland should continue to receive their education in Trinity College, the question remains, on any plan be devised for permitting the connexion with the University of one or more Schools of Theological Instruction, consistent with the subordination of all to a governing body open indiscriminately to persons of every religion? It appears to me that this question has been practically solved by the Queen's Letter, obtained in 1874, for the appointment of a University Council. By that legislation, the Board, while retaining its general authority, resigned all the powers which it would be unsuitable for a mixed body to exercise over a Theological School. The Theological Professorships having been exempted from the operation of that Queen's Letter, it seems to me that all that is now necessary is to obtain another Queen's Letter, appointing another Council, consisting exclusively of members of the Church, which shall have precisely the same powers in matters connected with the Divinity School which the present Council has in all other departments of education. If other Theological Faculties were instituted in the University, they would be governed in like manner.

The advantage of this plan is that it postpones indefinitely the question of compensation to the Church of Ireland, without risk to the Church of losing it altogether. If the proposed arrangement were once made, it would stand until the Crown or Parliament interfered with it. As long as it continued, the Professor would be nominated, and the course of study prescribed, by a body in whom the Church could have confidence. If Parliament should hereafter decide that Theology should not be taught in Trinity College, it would at the same time determine whether compensation was due to the Church of Ireland, and out of what funds it should be provided. But the Church would be delivered from the existing danger of losing its Divinity School silently, as friendly members of the Board are replaced by unfriendly.

With regard to the constitution of the proposed Council the model of the existing Council might be followed, and there might be four different sections: (1). There ought to be members nominated by the Board. The harmony that has existed between the Board and the present Council mainly arises from the knowledge each body has of the feelings of the other, through the presence of influential members common to both. (2). Corresponding to the sections nominated by the Junior Fellows and by the Professors would be in this case members appointed by the teachers in the School. The two principal teachers, the Regius Professor and Archbishop King's Lecturer, are such natural advisers of the Council, that it may be a question whether they ought not to hold their position *ex officio*. (3). There ought to be members nominated by the Bishops. It is most important of all, that the management of the School should meet their approval, since it rests with them to determine whether they will require the Candidates of the Schools from Candidates for Orders. (4). There might be members nominated by the clerical and lay members of the Synod; or also by the members of the Senate who are also members of the Church. Except, perhaps, in the last case, there seems no advantage in the alternative method of voting.

## APPENDIX

## XIII.

Letter of the  
Reverend Pro-  
vost of  
Trinity College.

With regard to financial matters, it may, perhaps, be enough to maintain the rule that no change should be made in the existing distribution except by the Board and Visitors. It might be provided that no plan affecting the Divinity School should be sent up to the Visitors except accompanied by a Report from the new Council. And of course this Council would have the power to recommend to the Board a new distribution if they should think it advisable.

The only other thing necessary for the welfare of the Divinity School on the new system is the removal of the restriction to Fellows of my Professorship, and of any similar restriction in other cases, if any such exists. This restriction was quite proper when every Fellow was bound to take Orders, and when the electors were able to choose among some of the most learned divines of Ireland; but the body of Fellows of the future might not include a single qualified person. I understand that some of the Junior Fellows think that the removal of the restriction would be unjust to them

as long as any Junior Fellow can be found willing to accept the office; but this is a contention which it is impossible to maintain. It was never intended that the electors should have no range of choice, but be limited to one or two persons. The restriction of the office to Fellows, and the obligation of Fellows to take Orders, went together. But no Fellow elected since 1854 has taken Orders; none of them, therefore, can reasonably think it a grievance that he does not get steps by Divinity promotions. As their numbers rise to be on or near the Board, the number of Fellows qualified and willing to accept the Divinity Professorship is yearly diminishing; and unless a vacancy takes place tolerably soon, the choice of the Electors would be very injuriously hampered by existing rules.

I remain,

Faithfully yours,

GEORGE SALMON.

## APPENDIX

## XIV.

Query by the  
Royal Com-  
missioners, with  
the answers of  
the Provost and  
Senior Fellows.

## APPENDIX XIV.

QUESTIONS by the ROYAL COMMISSIONERS, with the ANSWERS of the PROVOST and SENIOR FELLOWS.

DIVINITY PROFESSORS, LECTURERS, AND TEACHERS.

Query 1.—State all the private Endowments dedicated to the study of Divinity, or in any wise devoted to that purpose, with the names of the several Benefactors, and the trusts (if any) affecting such Endowments.

Query 2.—State the manner in which the property mentioned in the preceding question is invested, the amount of income arising therefrom, and how the same is disposed of.

Query 3.—State the dates at which the said several private Endowments were created.

Whether any and what additions have been made thereto by the College for the same purposes respectively.

And the dates of such additions being made.

Answer of the Provost and Senior Fellows.

1718.—£500 late Irish currency was given by the Most Reverend William King, Lord Archbishop of Dublin, towards founding a Divinity Lecture for the use of the Bachelors in the College.

1739.—A further sum of £200, being a bequest by said Archbishop King, was paid to the College for the further Endowment of the Divinity Lecturer. These Endowments were invested in the purchase of 2385 lrs. 8d. Bank of Ireland Stock, in the year 1829, and the income arising therefrom has varied from £35 to £38 9s. 11d. per annum, and has been applied in part payment of the salary of the Divinity Lecturer. The salary since 1833 has been £700 a year—the increase having in that year been granted by the Provost and Senior Fellows as a charge on the Decretments.

1833.—A sum of £1,000 was given by the Most Rev. Lord John George Beresford, Archbishop of Armagh, towards founding a Chair of Ecclesiastical History in the University. A further sum of £1,000 was given by the same Archbishop in 1861, for the same purpose. These two sums have been invested in the purchase of 2933 4s. Bank of Ireland Stock. The income arising from this Endowment has varied during the last fifteen years, from £74 lrs. 8d. to £125 lrs. 8d. The Professor has, during that period, received a salary of £100 a year.

Query 4.—Have any Public Grants from the Crown or from Parliament been made for the purpose of the Divinity School?

Answer.—No.

Query 5.—Furnish a list of all Professors and Lecturers appointed to give instruction in Divinity in the College; stating

The modes of their appointment.

The tenure of their offices.

The duties which they perform; and

The salaries or other emoluments which they receive.

Answer of the Provost and Senior Fellows.

(a.) Regius Professor of Divinity, appointed by the Provost and Senior Fellows from among the Fellows or Ex-Fellows of the College, who are Doctors in Divinity. The Professor holds the office for life, unless guilty of neglect of duty or other offence against the Statutes, or unless promoted to a Bishopric.

The prescribed duties are, to read a Predication at the beginning of every Term, in which the order and matter of the studies of that Term are expounded. To give two Lectures in every week during the Term. To explain the Holy Scriptures in these Lectures. To expound also the controversies with all opponents as well of the Christian religion as of our Church. To hold Lectures also, and Examinations in Ecclesiastical History. To assign to the Students books, approved by the Provost and Senior Fellows, in which they are to be diligently examined. To prescribe Exercises in Theology. To furnish the Provost, at the end of each Term, with the names of Students remarkable for negligence or for diligence. To be Moderator in Disputations for Theological Degrees. To preach four Sermons each year in confirmation of the Christian religion. To read annually four public Predications in Divinity, at such times and in such places as the Provost and Senior Fellows shall prescribe. To hold an annual Examination of the Students in Divinity, for two days, during four hours each day; in the morning of the first day in the Old Testament, and in the evening in the New Testament; in the morning of the second day in Ecclesiastical History, and in the evening of the second day in the Articles and Library of the Church of England. The salary is £1,212 per annum.

(b.) Archbishop King's Lecturer, appointed by the Provost and Senior Fellows. He holds his office for life.

His duties are, to lecture Divinity Students during their first year, on two days in each week; during the Michaelmas and Hilary Terms on the Evidence of Natural and Revealed Religion; and in Trinity Term

on the Socinian controversy, and to preside at examinations of those Students at the end of each Term. The salary is £700 per annum.

(c) Professor of Biblical Greek, appointed by the Provost and Senior Fellows. The tenure of the office is for five years.

The duties are, to lecture in two of the three Terms of each year in subjects to be appointed by the Board, and to assist at the Divinity Examinations held by the Professor of Divinity, and by Archbishop King's Lecturer. The salary is £100 per annum.

(d) Professor of Ecclesiastical History, appointed by the Provost and Senior Fellows. The tenure of the office is for five years.

The duties are, to lecture twice a-week during two of the three Terms in each year for all Students requiring the testimonial of the Professor of Divinity, to hold an Examination in each year for Prizes in Ecclesiastical History, and to examine in Ecclesiastical History at the Divinity Professor's Prize Examination. The salary is £100 per annum.

(e) Four Assistants to the Professor of Divinity appointed by the Provost and Senior Fellows.

The Assistants appointed before the year 1876 held the office usually during the continuance of their Junior Fellowship. The tenure of those subsequently appointed is fixed by the Provost and Senior Fellows at the time of their appointment.

The duties are, to lecture Students twice a-week during each Term in the second year of their Divinity Course, and to assist the Professor in the Divinity Examinations. The salary of each Assistant is £50 per annum.

(f) Five Assistants to Archbishop King's Lecturer in Divinity, appointed by the Provost and Senior Fellows.

The duties are, to lecture Students twice a-week during each Term in the first year of their Divinity Course, and to assist Archbishop King's Lecturer in the Divinity Examinations. The tenure of office and the salary are the same as those of the Assistants to the Professor.

N.B.—The Senior of the nine Assistants receives £50 per annum.

NOTE.—The list given above does not include Catechetical Lecturers, or other persons appointed to give religious instruction to all classes of Students, as it is assumed that the questions are intended to refer solely to the Divinity School.

Query 6.—State the dates of the creation of the several Offices mentioned in the preceding questions.

*Answer of the Provost and Senior Fellows.*

(a) The date of the creation of the Professorship of Divinity is not known, but it is recited in the Royal Letter, 24 Car II., "That there hath been for these many years, and still is, a Professor of Divinity in this our University and College of the Holy and Undivided Trinity, near Dublin."

(b) The date of the foundation of this Lecture by Archbishop King was 1718.

(c) This Professorship was founded on May 12, 1838.

(d) This Professorship was founded on March 25, 1850.

(e) The first appointment of an Assistant Divinity Lecturer was on March 3, 1783.

(f) The first Assistants were appointed on October 21, 1833.

Query 7.—State the nature and dates of change (if any) made in the salaries, emoluments, or duties of the several Offices before mentioned, during the last twenty-five years.

*Answer of the Provost and Senior Fellows.*

(a) The salary of the Regius Professor of Divinity was augmented on the 20th November, 1858, by £12, being the annual average of fees on Theological De-

grees received by him in the seven years preceding that date; and which were, from and after that date, transferred to the general funds of the College.

(b) There has been no change since 1833.

(c) None.

(d) None.

(e) and (f) In June, 1867, the salary of the Senior Assistant was raised from £36 18s. 8d. to £60 per annum; and the salaries of the Junior Assistants were raised from £27 14s. to £50 per annum each.

#### DIVINITY SCHOLARSHIPS, EXHIBITIONS, PRIZES, &c.

Query 1.—State the number of Scholarships, Exhibitions, Prizes, or other rewards given to encourage or assist Students in Divinity.

Query 2.—State their value, and the conditions under which they are given or received, and the nature and value of such of them as proceed from Private Endowment.

Query 3.—State the Trusts (if any) affecting any Private Endowment given for the support or encouragement of Students in Divinity.

*Answer of the Provost and Senior Fellows.*

#### SCHOLARSHIPS.

In the year 1844 two Scholarships of £20 each, denominated "The Bedell Scholarships," were founded by the Committee of the Irish Society, for Students in the University who attend Lectures of the Professor of Irish and Divinity lectures, and pass each year an examination in Irish. The Scholars are elected and paid by Trustees named by the founders. The Examination for the Scholarships to be held annually, as soon after the Trinity Term Examination as possible. Open to Students of any standing in the University, and tenable for four years, if they shall keep their names on the College Books, and have not been admitted to Holy Orders. The Scholars are required to reside in or near Dublin, and attend the Lectures of the Professor of Irish (unless excused), and to attend Divinity Lectures; to pass an Annual Examination, at the commencement of Michaelmas Term, in the Irish Language; and to produce Certificates of having passed the Annual Examination.

#### EXHIBITIONS.

In the year 1797, an annuity of £50, late Irish currency, chargeable on the lands of Castleknock, County Kildare, was bequeathed by the Rev. William Downes, p.p., of Waterford, to the Provost, Fellows, and Scholars of Trinity College, for the foundation of five "Downes Exhibitions" of £9 4s. 8d. each, "to be given to Students in the Divinity line, at the discretion of the Provost and Senior Fellows; respect being had in such choice to narrow circumstances, and proficiency in learning; to continue till arriving at standing of A.M., death, resignation, or leaving College."

In the year 1858, six "Theological Exhibitions," three of the value of £60 and three of the value of £40 annually, were founded by the Provost and Senior Fellows, with the consent of the Visitors. The Examination for the Exhibitions is held every year, at the end of Hilary Term. Tenable for three years. Candidates must not be more than one year's standing as A.M., reckoned from the Michaelmas Examination at the Senior Freshman year; must have completed six Terms of the Divinity Curriculum; must present themselves at the Examination immediately subsequent to the term in which they have completed their Divinity Course. No person can be a Candidate a second time.

#### PRIZES, &c.

In the year 1758, £200 in Treasury Debentures was given by the Right Rev. Nicholas Farnier, Bishop of Raphoe, towards providing prizes to be given annually to two Students who may exhibit the greatest proficiency at the Divinity Lecture. For several years

APPENDIX  
XIV.

Queries by the  
Royal Com-  
missioners, with  
the answers  
of the Provost  
and Senior  
Fellows.



APPENDIX  
EIV.

Quoted by the  
Royal Commission,  
with the sanction of  
the Provost  
and Senior  
Fellows.

these prizes were not awarded, and in the year 1873 the original Endowment, with interest for the time of the discontinuance of Prizes, amounting in all to £401 19s., was invested in the purchase of £134 Bank of Ireland Stock, and the income arising therefrom has varied from £18 7s. 3d. to £14 19s. 4d. per annum, which has been applied to the payment of £16 a-year, in Prizes to the two best answers at the Final Examination of the Junior Divinity Class.

In the year 1707, a sum of £1,000, late Irish currency, was bequeathed by Rev. William Downes, D.D., for providing Divinity Prizes for Bachelors of Arts of the University. This money was invested in 1849, in the purchase of £388 17s. 8d. Bank of Ireland Stock. The income arising therefrom has varied during the last seven years from £35 to £52 10s. per annum, and the following Prizes are given in accordance with the directions of the testator:—

"Dr. Downes' Divinity" Prizes of £18 7s. 3d. and £9 4s. 7d., for Written Composition.

Prizes of £11 1s. 6d. and £7 7s. 8d., for Extempore Speaking; and

Prizes of £7 7s. 8d. and £3 13s. 10d. for Reading the Liturgy.

These Prizes are awarded at Examinations held on three separate days, in the last week of Trinity Term. A Candidate must have attended with remarkable diligence as a Candidate Bachelor, or Bachelor of Arts, on Divinity Lectures, in two Terms.

"Archbishop King's Divinity Prizes."—£20 in Prizes, given at an Examination held by Archbishop King's Divinity Lecturer in Trinity Term. Such Students only can be Candidates for the prizes as are selected by the Examiners at the General Examination for the Junior Divinity Class.

"Biblical Greek."—Prizes of £10 and £5, awarded at an Examination to be held in Michaelmas Term, to Students of Senior Sophister or higher standing under that of A.M.

"Ecclesiastical History."—Prizes of £10 and £5, given at an Annual Examination to be held in Trinity Term by the Professor, open to such Students as shall have attended the Professor's Lectures during two Terms of the year in which they present themselves.

"Divinity Composition."—Prizes of £3 each are awarded in each of the three Terms in the Divinity Year to those Students in the Senior and Junior Divinity Classes, respectively, who are recommended by the Regius Professor and Archbishop King's Lecturer, for the best Written Compositions on subjects proposed during the Terms.

In the year 1844, a Prize of £10 was founded by the Committee of the Irish Society, to be called the Bodell Prize, and to be given to the best answerer of the

disappointed Candidates for the Bodell Scholarship. This is paid by the Trustees of the Bodell Fund.

In the year 1852, a sum sufficient to produce an annual income of £7 12s. 5d., was contributed by friends of the Right Rev. Samuel Kyle, late Bishop of Cork, and was invested in Government Securities in the joint names of the Provost and Senior Fellows of Trinity College, the Professor of Irish, and the Dean and Archdeacon of Cork, all for the time being, the interest to be paid annually to Divinity Students at an Examination in the Irish Language, held during their Divinity Course, and to be denominated "The Kyle Prize." The income at present arising from this Endowment is £9 10s. 4d.

In the year 1868, a sum of £200 was given by the Right Hon. Richard R. Warren, Attorney-General for Ireland, and M.P. for the University, to be invested in Anglo-Bankers Dutch bonds, for the purpose of founding an annual Prize of £10 in the Divinity School, to be called "The Church Formularies Prize." In 1873, at the desire of the donor, these bonds were returned to him, in exchange for £250 Debenture Stock of the Great Southern and Western Railway of Ireland, invested in the names of the Provost, Fellows, and Scholars of Trinity College.

The income arising from this Endowment is £10 a-year; and it is applied to the payment of an annual Prize, according to the directions of the donor.

NOTE.—There are also Lectures, Prizes, and Endowments connected with the study of Hebrew, which since the year 1869 has formed a part of the Divinity Course; but as these were originally founded in connection with Oriental Literature, and are at present made use of by Jews and Dissenters as well as by Members of the Church, they are not supposed to be included among the matters referred to by the Commissioners in their Queries.

There are also Private Endowments for the purpose of giving Prizes for Theological Essays to members of the University generally, but not limited to Students in Divinity.

## ADDITIONAL FUND.

Query I.—State the names of the Benefices in respect of which Trinity College received compensation under the Irish Church Act, 1869, and the following particulars concerning each of them, viz.:

The Diocese in which it is situated.  
The Amount of Annuity awarded to the Incumbent by the Church Temporalities Commissioners, and  
Of the Compensation awarded to the College in respect thereof.

## ANSWER.

APPENDIX  
XIV.

Quoted by the  
Royal Commission,  
with the assent of  
the Provost and  
Senior Fellows.

Names of Benefactors for the Use of the Advowsons of which the College received compensation.	Diocese in which situated.	Amount of Annuities awarded to the Incumbent—See Note.	Compensation
		£ s. d.	£ s. d.
Arbon, . . . . .	Armagh, . . . . .	505 13 6	2,507 13 1
Ardara, . . . . .		585 11 2	2,379 4 10
Clogherry, . . . . .		1,353 14 7	11,701 2 3
Cleavesdale, . . . . .		536 7 2	5,118 7 3
Cleone, . . . . .			5,013 1 1
Desertrought, . . . . .		617 3 9	5,192 10 3
Aghalarcher, . . . . .	Clagher, . . . . .	750 11 10	5,141 16 5
Cleoneish, . . . . .		565 5 10	5,029 6 3
Deroyvillian, . . . . .		499 5 11	5,794 8 11
Enniskillen, . . . . .		563 5 2	5,074 14 1
Ardara, . . . . .	Derry, . . . . .	1,475 4 0	5,891 14 1
Cappagh, . . . . .		1,374 14 3	7,946 15 4
Drumagh, . . . . .		1,008 3 0	9,412 8 7
Killybegh, . . . . .	Derna, . . . . .	618 12 6	4,221 9 5
Killohannah, . . . . .	Kilmore, . . . . .	1,037 8 2	5,768 7 7
Cladeforth, . . . . .	Raphoe, . . . . .	832 9 1	1,239 12 5
Cladeforth, . . . . .		611 10 7	3,918 16 9
Corral, . . . . .		767 19 8	6,335 10 1
Kilmacross, . . . . .		591 0 0	2,113 7 10
Raymoch, . . . . .		879 12 0	5,480 5 2
Tullygish, . . . . .		1,146 2 8	5,794 5 1

Note.—The Provost and Senior Fellows have no official knowledge of the amount of Annuities awarded to the Incumbents. The figures given above are taken from a Return made by the Irish Church Temporalities Commissioners to the House of Commons, as to the annual value of the Livings of which the Incumbents had consented, including the value of Glebe Lands. The Benefice of Cleone does not appear in that Return, as it is presumed the Incumbent did not consent. The Annuity, however, awarded to him, appears in a publication by the Chief Clerk of the Commissioners to have been £216 4s.

Query 2.—State briefly the nature of the Title under which each Advowson was held, viz.:

Whether it was granted by the Crown, or  
Purchased by the College. In the latter case state  
Price paid for each.

Answer.—All the Advowsons, except the three hereafter named, were granted to the College by Letters Patent of 26th August, 1610, 3th James I. A copy of these Letters Patent is sent herewith.

Killybegh.—Purchased on 6th July, 1757, for £1,500, of which £900 was a Bequest by the Rev. Charles Gilbert, D.D., Senior Fellow, in trust, to purchase an Advowson or Advowsons for the College.

Killohannah.—Purchased 17th May, 1766, for £1,104 3s.

Clogherry.—Purchased 17th June, 1828, for £11,960.

Note.—Letters Patent of 3 Geo. III. were granted to the College, authorising it to purchase four Advowsons. A copy of these Letters Patent is sent herewith.

Query 3.—Is there any Trust expressed in the grants of any of the said Advowsons?

State any such Trust therein contained.

Answer.—There is none, unless the Recital in Letters Patent of Geo. III. may be considered to imply a Trust in respect to the purchased Advowsons.

Query 4.—When a Benefice, in the Patronage of the College, became vacant, in whom did the power rest of presenting a clergyman thereto?

Answer.—The Provost and Senior Fellows, as the governing body of the College, presented in the name of the Corporation.

Query 5.—Was it the custom to offer the Benefice to each of the Clerical Fellows in succession, according to seniority?

Was this custom invariable, or were there any exceptions to it?

Answer.—It appears from the Register of the

College, that the custom of offering Benefices to the Fellows in Priests' Orders in succession (with the exceptions hereafter mentioned) has prevailed at least as far back as the year 1788. The entries in the Register previously to that year are merely of the fact of a presentation of a person to one of those Benefices.

On some occasions, a Fellow who accepted a Living was allowed an option of taking a Living subsequently becoming vacant, if declined by all the Fellows then of senior standing to him; and in a few cases an exchange of a Living was allowed.

Query 6.—State the names of the Ex-Fellows who were in possession of College Livings on the 1st of January, 1870, with the dates of their respectively obtaining Fellowships; and being appointed to the said Livings.

## ANSWER.

Name.	Date of obtaining Fellowship.	Date of Appointment to Living.
Robert V. Bruce (Clogherry),	June 11, 1823.	Feb. 25, 1825.
Wm. A. W. Black (Cleoneish),	June 4, 1840.	June 14, 1854.
James Mathew (Arden),	June 2, 1844.	May 28, 1847.
James Byrne (Cappagh),	June 19, 1846.	Oct. 5, 1847.
Geo. Sidney Smith (Drumagh),	May 30, 1851.	Apr. 29, 1857.
John C. Martin (Killohannah),	June 18, 1852.	May 22, 1853.
Henry Kingsmill (Corral),	June 2, 1854.	Dec. 7, 1856.
John Wynne (Tullygish),	May 25, 1855.	Oct. 17, 1863.

Query 7.—Does the "University Calendar" give a correct list of the Fellows elected since 1750? and of the dates of their several elections, and of their deaths, or acceptance of College Livings?

Answer.—It is believed to do so.

Query 8.—State any cases in the present century, in which an Ex-Fellow holding a College Living was permitted to exchange with the Incumbent of another

\* In December, 1843, the Rev. James Byrne accepted the Living of Raymoch, with an option, which he exercised by accepting Cappagh.

† In the year 1838 the Rev. Geo. Sidney Smith accepted the Living of Aghalarcher, and he was presented to Drumagh, on his being elected by all the Fellows in the year 1857.

APPENDIX  
XIV.

Queries by the  
Royal Com-  
missioners,  
with the answers of the  
Provost and  
Senior Fellows.

Living, giving the names of the exchanging parties, and of the Benefices exchanged, together with the dates of such exchanges; and the names of the holders of the Livings on the 1st of January, 1870.

Names of Fellows who exchanged.	Years of Persons with whom exchange was made.	Names of Benefices.	Dates of Exchanges.	Names of Holders of the Benefices on 1st January, 1870.
Thos. Bonney Robinson.	Rev. J. C. Maude.	{ Enrickfles, Curlicumcrae }	March, 1824.	{ Samuel Greer. Thos. Bonney Robinson.
John Y. Rutledge.	Richard Verschoyle.	{ Derryvally, Arragh }	October, 1865.	{ Richard Verschoyle. John Y. Rutledge.

In May, 1812, the Rev. Arthur Henry Kenny, Ex-Fellow, resigned the Benefice of Kilmacrumma on presentation to the Rectory of Achery; and the Rev. Anthony Hastings, who had not been a Fellow, was presented to Kilmacrumma by the College.

By order of the Board,

THOMAS STACK, Registrar.

Trinity College, April 13, 1877.

## APPENDIX XV.

QUERY by the ROYAL COMMISSIONERS, with the ANSWER of the PROVOST and SENIOR FELLOWS.

## DEGREES IN THE FACULTY OF THEOLOGY.

Query.—State the mode of conferring Degrees in the Faculty of Theology, the Lectures to be attended, and Examinations to be passed, the length of time which must be devoted to the study, the payments to be made, and all other conditions necessary to be performed in order to obtain each Degree in Theology.

Answer.—The rules at present in force are as follows:—A Bachelor in Divinity must be a Master of Arts or a Bachelor of Arts of three years' standing. He must likewise have undergone a special Examination in Divinity before the Regius Professor, according to Rules prescribed by the Provost and Senior Fellows, with the consent of the Regius Professor.

A Doctor in Divinity must be a Bachelor in Divinity of five years' standing. He must likewise present to the Regius Professor a printed thesis, in which he has treated of and explained some portion of Doctrine from the Holy Scriptures, or of the History of the Church, or of Dogmatic Theology. This thesis is to be approved of by the Professor.

Those who were students before the 30th Nov., 1875, may, up to the year 1892, obtain these Degrees under the Regulations formerly in force, which are as

follows:—A Bachelor of Divinity must be M.A. of seven years' standing. Before the private grace of the House can be obtained for this Degree, the Candidate must perform the necessary exercises before the Regius Professor of Divinity, or his Deputy. These are, one *Concio ad Populum* in Latin, and one *Sermon* in English or Populus.

A Doctor in Divinity must be B.D. of five years' standing, and in Priest's Orders. The exercises performed before the Regius Professor of Divinity are, a *Sermon* or *Populus* in English, and a *Latin Sermon* or *Concio*. When the Degrees of B.D. and D.D. are taken together, the exercises for both must be performed.

There are no Lectures to be attended.

The fees payable on taking these Degrees are as follows:—

8. Theologie Baccalaureus.	£13 15 0
8. Theologie Doctor.	25 0 0

By order of the Board,

THOMAS STACK, Registrar.

Trinity College, April 23, 1877.

APPENDIX  
XVI.

Additional  
Queries by the  
Royal Com-  
missioners,  
with answers of  
the Registrar of  
Trinity College.

## APPENDIX XVI.

ADDITIONAL QUERIES put by the ROYAL COMMISSIONERS with the ANSWERS of the REGISTRAR of TRINITY COLLEGE.

Query 1. What was the original salary of the Professor of Divinity, and what additions have from time to time been made thereto?

Query 2. By what authority was the advowson of the Living of Killybegh purchased by the College?

Answer 1. The changes in the salary of the Professor of Divinity are as follows:—(1). King's Letter, Car. II., salary named is £80. (2). 1 Geo. III., salary raised to £300. (3). 39 Geo. III., salary raised to £700. (4). 54 Geo. III., salary raised to £1,300 Irish = £1,300 British.

The present salary is £1,312. The £12 was added as compensation for Degree Fees by Decree dated 18th December, 1858 [pursuant to authority granted by Statute, 18 Victoria].

Answer 2. The second question is best answered by the following extract from the Registry:—1757, July 6. "This day Dr. Hudson and Dr. Knight perfected the conveyance to the College of the advowson of the Parish of Killybegh, pursuant to His Majesty's License."

The conveyance of the advowson is dated the 6th of July, 1757, and recites a License from the Crown to purchase it, dated 19th April, 1757, 30th George II.

The gentlemen named purchased as trustees under the will of Dr. Gilbert, who bequeathed part of the purchase-money to the College for this purpose.

June 2, 1877.

T. STACK, Registrar.

## APPENDIX XVII.

QUERIES by the ROYAL COMMISSIONERS, with the ANSWERS of the PROVOST and SENIOR FELLOWS.

APPENDIX XVII.

Queries by the Royal Commissioners, with the Answers of the Provost and Senior Fellows.

Query 1.—A list of the references, in the Charters and Statutes, to the teaching of religion or to the Divinity School, or to any matters in anywise affecting the same.

Answer of the Provost and Senior Fellows.

1. The first reference to this matter occurs near the beginning of the Charter of Elizabeth, in the words, "Ut eo melius ad bonas artes perspicendas, sollemnique virtutem et religionem adjuvemus" [p. 3, ed. 1844]. These words are repeated and confirmed in the Charter of Charles I. [pp. 1 and 2, ed. 1875]; and the same Charter, p. 4, repeats a certain provision of the Charter of Elizabeth—"Utopie immensum non solum Collegio, sed revera regno etiam et Ecclesie."

2. In 13 Car. I. Cap. IX., De Cultu Divino [ed. of 1875 (containing additions and amendments extracted from 18 Vict.), p. 25], there are several allusions to religious worship; also to the office of Cathedral, and to its assistants. The attention of the Commissioners to the whole Charter is specially requested.

3. In the Letters Patentes of 1 Geo. III., Cap. I. is contained with the office of Professor of Divinity and his duties.

4. In the same Charter, p. 63, the following words occur: "Cum vero perennitate refert, ut juvenis Academicus, illi prosecutioni qui sacris ordinibus destinatur, la sentis literis et religionis Christiane doctrinis diligenter eruditus, in quoniam jurisprudentia funditus fuit hoc Collegium."

5. In the Letters Patent 54 Geo. III., at p. 85, are regulations concerning the Professorship of Divinity, with regard to salary and duties.

6. In the Letters Patent 18 Vict., occurs a regulation relative to the attendance on the Lectures of the Professorship of Divinity (quoted in p. 68, ed. 1875).

7. In 13 Car. I. Cap. XIII. [p. 33, ed. 1875], De Officio Decanorum—occur the following words: "Quo melius vero et pietate regni, Deum, et morum prout honestaque conservetur, studentium et ordinum, ut due a Sociis quatuordecim in Decanum eligatur."

8. The Divinity School is not referred to by name in the Statutes, but it appears by 1 Geo. III., Cap. I., that Bachelors of Arts (as there described) were required to attend the Lectures of the Professor; and, until recently, Scholars, although not intending to enter Holy Orders, were obliged, under penalties, to attend the Lectures of the Professor of Divinity.

9. In Letters Patentes, Cap. I. Cap. X. [p. 25, ed. 1875], De Tutorum ac Papillarum Officio, occurs a passage as follows: "Quod ad Tutor quatuordecim ac papillarum pietatem et bonas artes quotidie eruditur."

10. In estimating the extent to which the teaching of religion was connected with Collegiate arrangements, attention may be drawn to the fact that the obligation by which the Provost must be "in sacris ordinibus constitutus," and by which the Fellows were bound, with few exceptions, to enter into Holy Orders, though removed within the last few years, had existed previously since the 13 Car. I. [vide ed. 1844, pp. 31 and 43].

Query 2.—A list of the Professorships and Lectureships held in connexion with the Divinity School, or for the purpose of giving Lectures or instruction in the Scriptures or Theology, and of the sums paid to such Professors and Lecturers, distinguishing in each case the amounts paid out of the General College Funds, and derived from private endowments.

Query 3.—Scholarships and Prizes of every kind, given for the encouragement of the same pursuits, the same distinction being made as to the funds whence they are drawn.

Answer of the Provost and Senior Fellows.

In the Return of the Provost and Senior Fellows, dated April 12, 1875, in pp. 1-7, will be found the Answers to these Queries, as far as they are directly connected with the Divinity School.

As it is understood that information in reference to instruction in Hebrew, and to the instruction given under the superintendence of the Cathedral is desired—it is given in the following statement. These matters had been referred to in the Return of April 12, in pp. 3 and 7.

## CATECHETICAL INSTRUCTION.

The Catechist is one of the Senior Fellows, appointed annually by the Provost and Senior Fellows. The office was established by Statute of Charles I. in the year 1637. His duties are to take care that the Students who are members of the Church of Ireland are instructed "in sacris literis," by means of questions and answers, on days and hours to be prescribed. The Salary is £200 a year. Assistants to the Catechist are appointed by him from among the Junior Fellows, or Masters of Arts. They hold office for the term in which they are appointed. The number is usually about eight. First appointed in a.d. 1637.

Their duty is to instruct the Students during the first two years of their Course, in portions of the Bible, and in the Creed. They receive a stipend of four guineas each for the Term—and are employed to examine at the Catechetical Term Examinations, held in each Term, for which there are special fees.

## INSTRUCTION IN HEBREW.

The Professor of Hebrew is one of the Fellows elected by the Governors of Emmanuel Smith's Schools, on the recommendation of the Provost and Senior Fellows. The office is tenable for life. It was endowed by Emmanuel Smith about 1710.

The duties are to lecture all Students during the second and third years of their Hebrew Course, both those belonging to the Divinity School and others. The salary is £100 per annum.

The Lecturer in Hebrew is one of the Fellows elected by the Provost and Senior Fellows. The office is usually held during the continuance of Junior Fellowships.

The duty is to take part in lecturing Students during the three years of their Hebrew Course. The salary is £80 per annum.

Two Assistant Hebrew Lecturers are elected by the Provost and Senior Fellows from among the Junior Fellows. The office is tenable during the continuance of the Junior Fellowship.

The duties are the same as those of the Lecturer. The salary is £30 per annum.

There is also, occasionally, an additional Hebrew Lecturer, with a stipend of £16 16s. for each Term.

## EXPENSES CONNECTED WITH CATECHETICAL INSTRUCTION.

	£	s.	d.
1. In Salaries, . . . . .	330	0	0
2. In Premiums, . . . . .	152	0	0
3. In Examination Fees and Payments for Lecturers, . . . . .	164	17	0

## FOR BENEFIT.

	£	s.	d.
1. Salaries, . . . . .	195	5	4
2. Premiums, . . . . .	58	0	0
3. Examination Fees, . . . . .	3	8	0

The foregoing are taken from the accounts of the year 1876, the last financial year closed.

APPENDIX  
XVII.

The following prices, in reference to which inquiry is made, are paid out of the funds of the College, viz.—

Archbishop King's Divinity Prizes, . . .	£	s.	d.
Biblical Greek Prizes, . . .	20	0	0
And . . .	10	0	0
Ecclesiastical History Prizes, . . .	5	0	0
And . . .	10	0	0
Divinity Composition Prizes of £2 each (varying in total amount), . . .	3	0	0
Six Theological Exhibitions, total amount (per annum), . . .	300	0	0

An inquiry is made respecting the expenditure belonging to nine years referred to in p. 5 of Return dated April 21, 1877. The reply is—these amounts are made up of the sums annually paid, during the nine years stated, to Examiners at Divinity and Hebrew Examinations, and of the salary paid to an occasional Lecturer in Hebrew.

The following Tabular Statements, I., II., III., IV., supply answers to the Queries of the Commissioners as to the number of Divinity Students, of Divinity Testimonials, and of the whole number of Students on the books in certain years. To these have been added—in order to make the information on this subject complete—Tables V. and VI., though not required by the Commissioners.

In Tables IV. and VI. the number of Students is given as it appears in the Books after the first Saturday in December in each year, according to the practice of computation usually adopted in the College.

It is to be observed that, in the attendance on Divinity Lectures, none are included except those who attended both the Professor and the Assistant Lecturer. Those who attended the Professor only, as a part of their duty as Scholars, are not reckoned.

[This remark does not apply to the years 1826-1833, during which period the form in which the Returns are kept makes it difficult to discriminate as to the attendance, as above stated.]

## I.—RETURN OF ATTENDANCE ON DIVINITY LECTURES for each of the years from 1828 to 1838.

1828-29, . . . . .	128
1829-30, . . . . .	154
1830-31, . . . . .	169
1831-32, . . . . .	151
1832-33, (Returns defective; Lectures Interrupted by Cholera), . . . . .	124 <sup>7</sup>

Note.—Attendance in the Junior Year commenced in 1831.

## New System.

	Junior Class.	Senior Class.	Total.
1833-34	73	141	214
1834-35	112	75	187
1835-36	117	84	201
1836-37	84	99	182
1837-38	124	83	207
1838-39	96	91	187

## II.—RETURN OF ATTENDANCE ON DIVINITY LECTURES in each year from 1836 to 1876.

	Junior Class.	Senior Class.	Total.
1836-37	89	86	175
1837-38	82	87	169
1838-39	97	85	172
1839-1840	83	89	172
1840-41	83	99	182
1841-42	80	74	154
1842-43	59	80	139
1843-44	35	67	102
1844-45	65	79	144
1845-46	48	72	120
1846-47	56	78	134
1847-48	70	62	132
1848-49	71	69	140

## RETURN OF ATTENDANCE ON DIVINITY LECTURES—Continued.

	Junior Class.	Senior Class.	Total.
1849-1850	74	57	131
1850-51	81	41	122
1851-52	35	40	75
1852-53	42	35	77
1853-54	43	37	80
1854-55	52	37	89
1855-56	53	52	105
1856-57	62	55	117

## III.—RETURN OF NUMBER OF DIVINITY TESTIMONIALS issued in each Year from 1856 to 1876 (under each Year).

1856-57	69	1857-58	50
1857-58	64	1858-59	45
1858-59	67	1859-1860	49
1859-1860	62	1860-61	55
1860-61	79	1861-62	55
1861-62	49	1862-63	52
1862-63	52	1863-64	50
1863-64	50	1864-65	45
1864-65	45	1865-66	62
1865-66	62	1866-67	50

## IV.—RETURN OF THE NUMBER OF REQUESTS ON the COLLEGE BOOKS in each Year from 1838 to 1838.

1838	1,431	1834	1,683
1839	1,379	1835	1,572
1840	1,387	1836	1,508
1841	1,431	1837	1,433
1842	1,515	1838	1,384
1843	1,635		

## V.—RETURN OF ATTENDANCE ON DIVINITY LECTURES in each Year from 1839 to 1855.

	Junior Class.	Senior Class.	Total.
1839-1840	87	97	184
1840-41	93	96	189
1841-42	146	107	253
1842-43	154	125	279
1843-44	131	164	295
1844-45	146	161	307
1845-46	134	158	292
1846-47	146	145	291
1847-48	126	141	267
1848-49	134	141	275
1849-1850	123	165	288
1850-51	115	141	256
1851-52	129	129	258
1852-53	111	147	258
1853-54	119	129	248
1854-55	87	125	212
1855-56	82	105	187

## VI.—RETURN OF THE NUMBER OF STUDENTS ON the COLLEGE BOOKS in each Year from 1839 to 1876.

1839	1,507	1856	1,605
1840	1,542	1857	1,575
1841	1,502	1858	1,670
1842	1,463	1859	1,554
1843	1,604	1860	1,176
1844	1,635	1861	1,173
1845	1,718	1862	1,239
1846	1,717	1863	1,256
1847	1,699	1864	1,381
1848	1,615	1865	1,228
1849	1,628	1866	1,263
1850	1,485	1867	1,267
1851	1,379	1868	1,190
1852	1,257	1869	1,189
1853	1,456	1870	1,202
1854	1,331	1871	1,129
1855	1,078	1872	1,188
1856	1,094	1873	1,157
1857	1,039	1874	1,184

By order of the Board,

THOMAS BRACK, Registrar.

Trinity College,  
November 17, 1877.





College of the Holy and Undivided Trinity of Queen Elizabeth, near Dublin, and of their successors for ever.

To be held of us, our heirs, and successors, in our Castle of Dublin, in our said Kingdom of Ireland, in free and common socage, by fealty alone, and not in capite, neither in socage in capite, nor by military service; rendering annually to us, our heirs, and successors, of and for the aforesaid territory, country, or precinct of land called Teoghy, and other premises above, by these presents before granted in Teoghy aforesaid, in said County Ardmagh, containing, as is said before, four thousand and our hundred acres of land, more or less, ten pounds, eighteen shillings, and eight pence, current money of England. And of and for the aforesaid territory or precinct of land called Coolmore, and other premises above by the presents granted before, in Coolmore aforesaid, in said County Ardmagh, containing, as is aforesaid, six hundred acres of land, more or less, thirty two shillings. And of and for the aforesaid territory or precinct of land called Blunthelway, and other premises above by the presents before granted in Blunthelway aforesaid, in the County Fermanagh aforesaid, containing, as is aforesaid, three hundred acres of land, more or less, forty and eight shillings. And of and for the premises also by the presents before granted, in the County Donegal aforesaid, containing, as is aforesaid, four thousand acres of land, more or less, ten pounds, thirteen shillings, and four pence, current money of England. And of and for the aforesaid late abbey, monastery, or religious house, and other premises, above by these presents before granted in the site or precinct of the aforesaid late abbey, monastery, or house in the said County Donegal, six pounds, sixteen shillings, and six pence, current money of England, at the receipt of the Exchequer of us, our heirs, and successors, of our said Kingdom of Ireland, or at the hands of our Vice-Treasurer, or Receiver-General of us, our heirs, and successors, of our said Kingdom of Ireland for the time being, at the Feasts of Saint Michael the Archangel and of Easter, by equal portions annually to be paid. And further, of our more ample special grace, certain knowledge, and mere motion, we have granted, and given leave, and by these presents, for us, our heirs and successors, do grant and give leave to the aforesaid Provost, Fellows, and Scholars of the College of the Holy and Undivided Trinity of Queen Elizabeth, near Dublin, and their successors, that they themselves, and any one of them from time to time, at his and their will and pleasure, during the space of seven years next following after the Feast of Easter last past before the date of these presents, may and can ship, convey, export, and transport beyond our said Kingdom of Ireland, in any part or parcel thereof, so far as into our Kingdoms of England, and all our other dominions whatsoever, as into any other kingdom, country, territory, or dominion in parts beyond the sea, being in friendship of us, our heirs and successors, and not elsewhere, all and every grain, hides, tallow, wool, fax, linen yarn, cloth of every kind, and all other commodities and merchandises whatsoever, from time to time, in or within the several Counties of Ardmagh, Tyrone, Coleraine, Donegal, County of the City of Derry, Fermanagh and Cavan, or any one of them, in our Province of Ulster, increasing, happening, renewing, or arising from, or in the future to be increased, incident to, removed, or brought forth; and these commodities and merchandises, so exported or transported there, at their own will, to sell and to expose for sale, or to exchange for their greater convenience and usefulness, without account or payment of any custom, great or small, or of any subsidy, imposition, or sum of money, or of any other charge, or anything else therefor, to us, our heirs or successors, within our kingdoms, or any one of them, to be repaid, discharged, or done; willing moreover, and by these presents fully enjoining, commanding, and directing as well all and singular

treasurers, sub-treasurers, customers, collectors of customs, and examiners of taxes, as all other officers and servants of us, our heirs and successors whatsoever, of our said Kingdoms of England and Ireland, and of any one of them, that they themselves, and any one of them, from time to time, may permit the aforesaid Provost, Fellows, and Scholars of the College of the Holy and Undivided Trinity of Queen Elizabeth, near Dublin, and their successors, and any one of them, quietly and peaceably, in the form aforesaid, to ship, carry, export, sell and expose for sale, or to exchange all and singular commodities, and merchandises of this sort, without payment of any custom, great or small, or of any subsidy, imposition, or sum of money whatsoever, therefor, to us, our heirs and successors, in that behalf to be returned or discharged. And these our Letters Patent, or the endorsement of them, will be as well to our said Treasurers, sub-treasurers, Collectors of Customs, Examiners of Taxes, and other officers and servants whatsoever, a sufficient warrant and acquittance in this behalf, any statute, act, ordinance, provision, proclamation, or restriction, or any other thing, cause or matter whatsoever, contrary to the aforesaid, notwithstanding.

And further, of our more ample, special grace, certain knowledge, and mere motion, we have granted and given leave, and by these presents for us, our heirs and successors, do grant and give leave to the aforesaid Provost, Fellows, and Scholars of the College of the Holy and Undivided Trinity of Queen Elizabeth, near Dublin, and to their successors, that they themselves, and any one of them, from time to time, within the space of five years next following after the Feast of Easter last past, before the date of these presents, at his and their will and pleasure, may and can ship, carry, and export, and convey, of and from our Kingdoms and Dominions in any one of them into our Kingdom of Ireland, and there discharge, unload, all and all manner of victuals and victuals in their houses or holdings to be had and used, and all and all manner of materials and instruments for edifices and structures to be made in and upon any lands within the aforesaid Counties of Ardmagh, Tyrone, Coleraine, Donegal, County of the City of Derry, Fermanagh, and Cavan, or any one of them, and for the necessary institution and maintenance of agriculture, and sheep, or birds of every kind, for store, Angles stocking and storing, and for cultivating and manuring of any lands within the several counties aforesaid, or any one of them, without account or payment of any custom, subsidy, imposition, or sum of money therefor, to us, our heirs and successors, in our Kingdoms, or any one of them, to be returned or made.

And further, We will, command, and direct, to all and singular Treasurers, Sub-treasurers, Customers, Collectors of Customs, and Examiners of Taxes, and to all our other officers and servants whatsoever, of our said Kingdoms of England and Ireland, and any one of them, that they themselves, and any one of them, from time to time, may permit the said Provost, Fellows, and Scholars of the College of the Holy and Undivided Trinity of Queen Elizabeth, near Dublin, and their successors, and any of them, quietly and peaceably to ship, carry, transport, export, discharge, and unload, all and singular such victuals, victuals, materials, and instruments for making the aforesaid edifices and structures, and to be applied and used for the aforesaid purposes and uses, without payment of any custom, subsidy, impost, or sum of money therefor, to us, our heirs or successors, in that behalf to be rendered or paid. And these our Letters Patents, or their Incertment, shall be sufficient warrant and acquittance in that behalf, to the treasurers, sub-treasurers, customers, Collectors of Customs, and our other officers and servants whatsoever. Notwithstanding any statute, act, ordinance, provision, proclamation, or restriction, or any other thing, cause, or matter whatsoever, to the contrary thereof notwithstanding. So as that this our grant or license

APPENDIX

XVIII.

Patent Roll of James the First



ARTICLE  
XVIII.Patent Ball of  
James the  
First.

shall in no wise extend to any commodities to be transported or imported into our said Kingdom of Ireland, with the intention that such merchandise or goods should be sold or exchanged.

We also will, and by these presents firmly enjoining, direct and command, that the aforesaid Provost, Fellows, and Scholars of the College of the Holy and Undivided Trinity of Queen Elizabeth, near Dublin, and their successors, and each of them, from time to time, within the space of two years next following after the Feast of Easter last past, before the date of these presents, may and can lawfully and freely enter into all and singular woods, underwoods, and woody lands in the several Counties of Ardsleigh, Donegal, Fennestingham, Carra, and Tyrone (except the Country of Coleraine, and the Counties of Glancolmain, and Killybeghagh, extending from the County of Coleraine to Ballinbegh, to be reserved and granted to the Mayor and Community of our City of London), and there by the Assignment of our Commission ride in that behalf to be authorized, to cut and carry off all such and so much trees or timber as shall be sufficient for the chimneys or structures to be erected in and upon the premises, or any part thereof, without any account or sum of money, or anything else, for such trees or timber, to us, our heirs or successors, or to any other person or persons to be paid or made.

We do further will, and by these presents enjoining, do direct and command, and the aforesaid Provost, Fellows, and Scholars of the College of the Holy and Undivided Trinity of Queen Elizabeth, near Dublin, and their successors, for themselves and their successors, consent and consent to and with us, our heirs and successors, by these presents, that if the Commissioners aforesaid in that behalf authorized, within the space of two years, after the Feast of Easter last past before the date of these presents, shall assign to any other person or persons, for erecting structures or edifices in any part of the several Counties aforesaid, any trees or timber, growing or being in and upon the premises above by these presents before granted, or any part thereof, that then it may and shall be allowable for such person or persons, lawfully, quietly, and freely, to go and enter upon the before granted premises, or any or every parcel thereof, and within the space of two years as aforesaid, to cut and carry off all such and so many trees or timber, as as aforesaid to be there assigned, and convert them to the uses aforesaid, without any account or sum of money, or anything else to be paid or made therefor, to the aforesaid Provost, Fellows, and Scholars of the College of the Holy and Undivided Trinity of Queen Elizabeth, near Dublin, or to their successors; anything in these presents to the contrary notwithstanding.

We do also will, and by these presents firmly enjoining, direct and command, and the aforesaid Provost, Fellows, and Scholars of the College of the Holy and Undivided Trinity of Queen Elizabeth, near Dublin, for themselves and their successors, agree and consent to and with us, our heirs and successors, by these presents, that the aforesaid Provost, Fellows, and Scholars of the College of the Holy and Undivided Trinity of Queen Elizabeth, near Dublin, and their successors, shall, and each shall, cause their several tenants in fee farm, and their several tenants for a term of a life, or lives, or of years, and each of them, to build and erect their mansion houses adjacent to each other, and near the chief house or mansion of the said Provost, Fellows, and Scholars of the College of the Holy and Undivided Trinity of Queen Elizabeth, near Dublin, and of their successors, in and upon the premises to be built or erected, and not here and there, or apart, as well for the mutual defence and protection of the said Provost, Fellows, and Scholars of the College of the Holy and Undivided Trinity of

Queen Elizabeth, near Dublin, and their successors, and of their tenants aforesaid, as for the erection of several villages in and upon the premises, to the service and public good of our said Kingdom of Ireland.

We do further will, and by these presents firmly enjoining, direct and command, and the aforesaid Provost, Fellows, and Scholars of the College of the Holy and Undivided Trinity of Queen Elizabeth, near Dublin, for themselves and their successors, agree and consent to and with us, our heirs and successors, by these presents, that the aforesaid Provost, Fellows, and Scholars of the College of the Holy and Undivided Trinity of Queen Elizabeth, near Dublin, and their successors, from time to time, shall prepare and have ready in their mansion houses, to be erected or built in and within the premises, a convenient number of arms to arm or equip a competent number of men for the defence or protection of the said Provost, Fellows, and Scholars of the College of the Holy and Undivided Trinity of Queen Elizabeth, near Dublin, and of their successors and tenants, against rebels and other enemies of us, our heirs, or successors, in our said Kingdom of Ireland.

And further we do will, and by these presents for us, our heirs and successors, do grant, and truly enjoining, command, that the said territory or precinct of land called Toghygh, and all other territories, lands, tenements, and hereditaments, and all other and singular the premises above by these presents before granted, shall be, and be accounted from henceforth, one entire manor in fact and name, and for ever shall be called and reputed the Manor of Killynkranan; and that the aforesaid Provost, Fellows, and Scholars of the College of the Holy and Undivided Trinity of Queen Elizabeth, near Dublin, and their successors, shall have and hold within the said Manor 600 acres of land distinct and separate for demesne lands of the said Manor.

And further we grant and give licence to the aforesaid Provost, Fellows, and Scholars of the College of the Holy and Undivided Trinity of Queen Elizabeth, near Dublin, and to their successors, that they and their successors aforesaid, and every one of them, may and shall be able freely, and without the hindrance of us, our heirs and successors, to give, grant, and in what way soever alternate, all other and singular the premises before granted and whatsoever parcel thereof, to any person or persons, their heirs or assigns, not being mere Irish. To be held of the aforesaid Provost, Fellows, and Scholars of the College of the Holy and Undivided Trinity of Queen Elizabeth, near Dublin, and their successors, as of their aforesaid Manor of Killynkranan aforesaid, in free and common socage, and by suit of Court to be held twice per annum. Rendering such rents and other lawful reservations as to the aforesaid Provost, Fellows, and Scholars of the College of the Holy and Undivided Trinity of Queen Elizabeth, near Dublin, and their successors, it shall seem better to obtain. Notwithstanding the Statute commonly called "Quia Emptores terrarum," or any other Statute, Act, ordinance, or proviso, or any other thing, cause, or matter whatsoever to the contrary notwithstanding.

And further we will, and by these presents for us, our heirs and successors, grant and give licence to the aforesaid Provost, Fellows, and Scholars of the College of the Holy and Undivided Trinity of Queen Elizabeth, near Dublin, and to their successors, that they, and each of them, may have and hold, and may and shall be able to have and to hold, in and within the precincts or limits of the Manor aforesaid, a Court in the nature of a Court Baron, to enquire, hear, determine, and execute all and singular such things and matters, and in the same manner and form as and like as they ought or are accustomed to be enquired into, heard, determined, or executed in any Court Baron within our said Kingdom of England, or within our said Kingdom of Ireland. To be held before the Steward or Stewards by the said Provost, Fellows,

and Scholars of the College of the Holy and Undivided Trinity of Queen Elizabeth, near Dublin, and their successors from time to time to be nominated and appointed; and before the free sisters of the said Manor of Killeshann respectively. And in the said Court to hold pleas of all and singular actions, trespasses, contracts, accounts, contracts, detinements, debts, or demands, whatsoever, which in debts or damages do not exceed a sum of forty shillings sterling, happening or arising in or within the premises above by these presents before granted, and the limits and bounds of the same. And that they and each of them shall have and receive, and from time to time may and can have and receive, all and singular profits, advancements, fees, commodities, advantages, and emoluments whatsoever to such Courts belonging or appertaining, or in any way therewith touching or asking, without account or any thing else therefor to us, our heirs or successors, to be received, paid, or performed.

We also will, and of our more ample special grace, certain knowledge, and mere motion, by these presents to us, our heirs and successors, grant to the aforesaid Provost, Fellows, and Scholars of the College of the Holy and Undivided Trinity of Queen Elizabeth, near Dublin, and to their successors, that We, our heirs and successors from henceforth for ever, annually and from time to time, shall exonerate, acquit, and keep indemnified, as well the aforesaid Provost, Fellows, and Scholars of the College of the Holy and Undivided Trinity of Queen Elizabeth, near Dublin, and their successors and each of them, as the aforesaid estates, messuages, lands, tenements, hereditaments, and all other and singular the premises above by these presents before granted, and every parcel thereof, with their entire appurtenances, against us, our heirs, and successors, of and from all and all manner of corrodies, rents, fees, annuities, pensions, portions, sums of money and charges whatsoever, from the premises before granted, or from any parcel thereof to us, our heirs or successors, issuing or to be paid, or thereupon towards us, our heirs or successors, charged or to be charged, except from the rents, services, tithes, and other charges above for the premises in these presents reserved.

Willing therefore, and by these presents firmly enjoining, commanding as well to the Treasurer, Chancellor, and Barons of the Exchequer, of us, our heirs and successors, as to all and singular the receivers, auditors, and other officers and servants of us, our heirs and successors whatsoever, of our said Kingdom of Ireland for the time being, that they and each of them, on the sole showing of these our Letters Patents, or their Inrollment, without any other Writ or Warrant from us, our heirs or successors, in any way to be obtained or procured from time to time, shall cease to be made to the aforesaid Provost, Fellows, and Scholars of the College of the Holy and Undivided Trinity of Queen Elizabeth, near Dublin, full, entire, and due allowance and manifest discharge of all and all manner of such corrodies, rents, fees, annuities, pensions, portions, sums of money and charges whatsoever, except of the aforesaid rents, services, tithes, and other charges above for the premises in these presents as aforesaid reserved, from the premises before granted, or any of them, to us, our heirs or successors, issuing or to be paid, or thereupon towards us, our heirs or successors charged or to be charged, and by the aforesaid Provost, Fellows, and Scholars of the College of the Holy and Undivided Trinity of Queen Elizabeth, near Dublin, and their successors, payable to be done or performed. And these our Letters Patents, or the Inrollment of them, shall be as well to the said Treasurer, Chancellor, and Barons of the Exchequer aforesaid, as to the aforesaid Receivers, Auditors, and other officers and servants of us, our heirs and successors whatsoever, of our said Kingdom of Ireland for the time being, sufficient warrant and exoneration in that behalf.

And further, of our more ample special grace, certain knowledge, and mere motion, We do will, and by

these presents to us, our heirs and successors, grant to the aforesaid Provost, Fellows, and Scholars of the College of the Holy and Undivided Trinity of Queen Elizabeth, near Dublin, and to their successors, that these our Letters Patents, or their Inrollment, shall be in all things, and through all things, firm, valid, good, sufficient, and effectual in law, towards and against us, our heirs and successors, as well in all the Courts of us, our heirs and successors, as elsewhere within our said Kingdom of Ireland, or elsewhere whatsoever, without any confirmations, licences, or tolerations of us, our heirs or successors hereafter by the aforesaid Provost, Fellows, and Scholars of the College of the Holy and Undivided Trinity of Queen Elizabeth, near Dublin, and their successors, to be procured or obtained.

Notwithstanding the ill naming, ill reciting, or not naming, or not reciting any town, village, parish, place, or tenement in which the premises above by these presents before granted, or any parcel thereof, do or does exist. And notwithstanding not naming or not rightly naming the name or names of the foundation of the College aforesaid, or the founder of the same.

And notwithstanding the not naming or not reciting the aforesaid estates, messuages, lands, tenements, hereditaments, and other premises above by these presents before granted, or any parcel thereof. And notwithstanding the not finding an Office or Inquisition of the premises, or of any parcel thereof, by which our title, or the title of our progenitors or predecessors, or any of them, ought to have been found of, in, or to the premises or any parcel thereof, before the making of these our Letters Patent. And notwithstanding the not reciting or ill-reciting any descent or grants for the term of a life, or lives, or of years, or in fee tail or otherwise, of the premises or of any parcel thereof, heretofore made, being of record or not being of record.

And notwithstanding any defects of the certainty, computation, or declaration of the true yearly value of the premises or of any parcel thereof, or of the yearly rents reserved upon whatsoever demise or grants of the premises or any parcel thereof in these our Letters Patent expressed or contained, or not expressed.

And notwithstanding that of the names of the tenants, farmers, or occupiers of the premises, or of any parcel thereof, full, true, and certain mention is not made.

And notwithstanding a Statute made and published in the Parliament of the Lord Henry the Sixth, late King of England, our predecessor, at Westminster, in the eighteenth year of his reign, and afterwards established and confirmed among other authorities of Parliament in our said Kingdom of Ireland. And notwithstanding the Statute against ploughing lands and tithes in mortmain. And notwithstanding any other defects in not rightly naming the nature, kind, species, quantities or qualities of the premises, or of any parcel thereof.

Provided always, that if the aforesaid Provost, Fellows, and Scholars of the College of the Holy and Undivided Trinity of Queen Elizabeth, near Dublin, or their successors, or any of them, shall alienate or demise the premises before granted, or any parcel thereof, to any person or persons being more Irish, or to any other person or persons who within a year before such alienation or demise shall not have made the English oath called "The Oath of Supremacy," according to the form of oath for that purpose published and provided in a Statute in the Parliament of Ireland held in the second year of the reign of our well-beloved sister Elizabeth, before the Chancellor or Keeper of the Great Seal of our said Kingdom of Ireland for the time being, or before any Commissioner or Commissioners to be authorized in that behalf. That then these our Letters Patent, in regards such part or parcel, parts or parcels, of the premises which shall be so alienated or demised against this our intention only shall be void and of no force in law. And that it shall and may be lawful for us, our heirs and successors, into every such parcel so alienated or demised against the tenor and true intent of these presents to re-enter, and the same to have and retain in our former estate to the use of us, our heirs

## APPENDIX

XVII.

Printed By E. of  
James the  
First.

and successors for ever; unless any tenant or tenants who for the time shall be possessed of any estate of the premises or of any parcel thereof, shall make the oath aforesaid, in the form aforesaid, before any person or persons in that behalf lawfully authorized, within six months after every such alienation or demise. Anything in these our Letters Patents to the contrary

notwithstanding. We also will, &c. Without fine to the Hanaper, &c. Although expression, &c. Any Statute, &c. In testimony whereof, &c.

Witness the King at Westminster, the 29th day of August.

By Warrant of the Commissioners, &c.

APPENDIX  
XIX.Patent to purchase four  
Advowsons.

## APPENDIX XIX.

## TRINITY COLLEGE, DUBLIN.—PATENT TO PURCHASE FOUR ADVOWSONS.

GRANTED the Third, by the Grace of God of Great Britain, France, and Ireland King, Defender of the Faith, and so forth, to all unto whom these presents shall come Greeting: Whereas the Provost, Fellows, and Scholars of the College of the Holy and Undivided Trinity of Queen Elizabeth near Dublin, by their memorial presented to our right trusty and right well beloved cousin and councillor George Duke Earl of Halifax, our Lieutenant-General and General-Governor of our said kingdom of Ireland, have humbly brought us to grant them our royal licence to purchase in mortmain four advowsons in our said kingdom of Ireland; and whereas our said Lieutenant-General and General-Governor of our said kingdom of Ireland having represented to us that the purchasing of such advowsons will cause a more frequent succession of Fellowships in the said College and by that means tend very much to the encouragement of learning in our said kingdom of Ireland, we have been graciously pleased to grant their request; Know ye therefore that We of our special grace, certain knowledge, and mere motion, by and with the consent of the Most Reverend Father in God our right trusty and right intirely beloved councillor George Bishop of Armagh, Primate of all Ireland, our right trusty and right well beloved cousin and councillor Henry Earl of Sligo, and our right trusty and well beloved councillor John Ponsonby, Esq., Speaker of our House of Commons in our said kingdom of Ireland, our Justice-General and General-Governors of our said kingdom of Ireland, and according to the tenor and effect of our letters under our Privy Signet and Sign Manual bearing date at our court at St. James's the 23rd day of November, 1762, in the third year of our reign and now enrolled in the rolls of our High Court of Chancery in our said kingdom of Ireland, have given and granted and by these presents do give and grant to the said Provost, Fellows, and Scholars of the College of the Holy and Undivided Trinity of Queen Elizabeth near Dublin our royal licence to purchase in mortmain to them and their successors the advowsons and right of patronage, presentation, and nomination of and to four several churches in our said kingdom of Ireland. And further, of our special grace, certain knowledge, and mere motion, by and with the advice and consent aforesaid,

and according to the tenor and effect of our said letters, We have given and granted and by these presents do give and grant to all and every person and persons who are or shall be seized or possessed of any estate in the advowson, right of patronage, presentation, and nomination of and to the four several churches which shall be so purchased by the said Provost, Fellows, and Scholars of the College of the Holy and Undivided Trinity of Queen Elizabeth near Dublin our royal licence to alien, grant, and convey in mortmain the advowson, right of patronage, presentation, and nomination of and to the four several churches to be purchased as aforesaid to the said Provost, Fellows, and Scholars of the College of the Holy and Undivided Trinity of Queen Elizabeth near Dublin and their successors may law, statute, or usage in our said kingdom of Ireland to prevent purchases of lands, tenements, or hereditaments in mortmain notwithstanding. And further, of our mere absolute special grace, certain knowledge, and mere motion, by and with the advice and consent aforesaid, We have given and granted and by these presents do give and grant to the said Provost, Fellows, and Scholars, that they shall and may, from and immediately after such purchase and alienation and at all times thereafter, have, hold, possess, and enjoy the advowson, presentation, and nomination of and to the several churches which they shall so purchase to them and their successors in our said kingdom of Ireland, the several statutes now in force in our said kingdom of Ireland to prevent and prohibit alienations in mortmain notwithstanding. Provided always that these our letters patent be enrolled in the Rolls of our High Court of Chancery in our said kingdom of Ireland within the space of six months next ensuing the date of these presents. In witness whereof we have caused these our letters to be made patent. Witness our aforementioned Justice-General and General-Governors of our said kingdom of Ireland at Dublin, the 23rd day of March, in the third year of our reign.

(Seal)

DOWTIE

Ed. MICHE. NOWLAN, D. Off.  
of the Crown and Hanaper.

## APPENDIX XX.

## TABLE I.

A LIST of BENEFICES formerly in the PATRONAGE of TRINITY COLLEGE, with their SUCCESSIVE INCUMBENTS, so far as they have been ascertained.

APPENDIX XX.

List of Benefices formerly in the Patronage of Trinity College.

NAME.	Date of Election to Fellowship.	Date of Co-optation.	Date of Acceptance of Benefice.	OBSERVATIONS.
<b>I.—DIOCESE OF DERRY.</b>				
<b>1. ARMSTRONG RECTORY, 1610.</b>				
John Richardson, . . .	1593	—	1617	Bishop of Ardagh 1633-54.
Richard Winter, . . .	—	—	1630	
Cesar Williamson, . . .	1654	—	1660	Dean of Ceshel, 1671-75.
Thomas Buttolph, B.D. . .	—	—	1663	
Adam Usher, . . .	—	—	1680	
John Hall,* . . .	1685	1692	1713	
Clauel Gilbert, . . .	1693	1698	1750	Reg. Prof. of Divinity.
Robert Shaw, . . .	1722	1730	1743	
John Fehsler, . . .	1737	—	1753	Reg. Prof. of Divinity, 1744-53, V.P.
Thomas Leland, . . .	1746	1761	1781	
Thomas Wilson, . . .	1763	1767	1786	
George Hall, . . .	1777	1790	1806	Provost, 1806-11. Bishop of Down, 1811.
Gerald Fitzgerald, . . .	1795	—	1806	
Richard H. Nash, . . .	1796	1814	1819	
James MacIlvor, . . .	1844	—	1847	

Annuity awarded to Incumbent, . . . £1,435 4 0  
 Compensation for loss of Advowson, . . . 9,891 14 1

**2. CAPPAUGH RECTORY, 1610.**

Gerruse Walker, . . .	—	—	1639	Chancellor of Armagh, 1663-77.
George Walker, . . .	—	—	1636	
Patrick Gratton, . . .	1661	1666	1671	
William Gratton,* . . .	1697	—	1703	
Edward Synges, . . .	1710	—	1719	Bishop of Clogher, 1730, of Ferns and Elphin successively Presented by the Crown.
William Hughes, . . .	—	—	1730	
Wood Gilson, . . .	1732	1740	1750	
Robert Burrows, . . .	1782	—	1796	Dean of Cork, 1819.
Richard Stack,* . . .	1779	—	1807	
William Hagooy,* . . .	1788	1799	1812	Bishop of Ely, 1819. Archbishop of Dublin, 1822. Presented by the Crown.
James W. Ormsby, . . .	—	—	1819	
Henry H. Harris, . . .	1819	—	1831	
James Byrne, . . .	1848	—	1849	Dean of Clogher, 1866.

Annuity awarded to Incumbent, . . . £1,334 14 3  
 Compensation for loss of Advowson, . . . 7,966 15 4

**3. DRUMMAGE RECTORY, 1610.**

Richard Walker, . . .	—	—	1630	Dean of Tuam.
Thomas Crompton, . . .	—	—	1635	
— Briston, . . .	—	—	1645	
Robert Echlin, . . .	—	—	1667	
Thomas Squire, . . .	1701	—	1719	
Edward Hinson, . . .	1728	—	1739	
James Knight, . . .	1738	—	1758	
Henry Mercer, . . .	1740	1753	1767	
John Forster,* . . .	1734	1743	1769	
William Day,* . . .	1774	—	1789	
Richard Stack, . . .	1779	—	1791	Dean of Cork, 1819.
Robert Burrows, . . .	1782	—	1807	
John B. Chapman, . . .	1822	—	1841	
George Sidney Smith, . . .	1851	—	1867	

Annuity awarded to Incumbent, . . . £1,086 3 0  
 Compensation for loss of Advowson, . . . 9,413 8 7

\* This mark denotes that the Incumbent held another living simultaneously.

APPENDIX  
XX.

List of Bishops formerly on the Patronage of Trinity College.

NAME.	Date of Election to Prelacy.	Date of Co-opting.	Date of Acceptance of Election.	Observations.
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## II.—DIOCESE OF RAPHOE.

## 4. CLOUGHMORE PARISH, 1610.

Robert Allen,	—	—	1622	Resigned in 1694.
Alexander Montgomery,	—	—	1661	
Richard Eaton,	—	—	1677	
Benjamin Spier,	—	—	1692	
John Eldershaw,	—	—	1694	
William Oakwell,	—	—	1697	
Thomas Wadman,	—	—	1708	
Charles Carr,	—	—	1709	
Tobias Caulfield,	—	—	1714	
James King,*	1720	1728	1735	
John O'Connell,*	1728	1730	1745	Archdeacon of Cork.
John Stokes,*	1746	1750	1775	
John Penney,*	1762	—	1780	
John Tetterton,	—	—	1782	
David Duncan,	—	—	1785	
Thomas Greene,	—	—	1789	Bishop of Ossory, 1842.
Alexander Crawford,	—	—	1807	
Conradus H. Usher,*	1794	—	1812	
James T. O'Brien,	1830	—	1836	
William A. Butler,	—	—	1837	
Richard Gibbings,	—	—	1842	
Charles F. Stewart,	—	—	1842	
Alexander Geo. Stuart,	—	—	1848	Prof. of Ecclesiastical History, 1863-1878.

Annuity awarded to Incumbent, . . . £333 9 1  
 Compensation for loss of Advowson, . . . 1,233 12 6

## 5. CLONEDON PARISH, 1610.

Thomas Knox,	—	—	1622	Bishop of the Isles.
Moore Neill,	—	—	1637	
Patrick Sheridan,*	1660	1663	1668	Bishop of Cloyne, 1679.
William Lloyd,	1671-2	—	1677	Bishop of Killalee, 1690.
Edward Sayers,*	1686	—	1692	Chancellor of Cloyne, 1693-1730.
Robert Lloyd,	—	—	1692	
John Johnston,	—	—	1702	Bishop of Cloyne, 1679.
Jonathan Rogers,	1716	1724	1730	
Benjamin Bacon,	1724	—	1731	
John Jobb,	—	—	1733	
Thomas Bedford,	—	—	1740	
William Hamilton,	1779	—	1790	
Henry Materin,	1792	—	1797	
William Baillie,	—	—	1842	
Daniel Mooney,	—	—	1860	

Annuity awarded to Incumbent, . . . £511 10 7  
 Compensation for loss of Advowson, . . . 3,218 16 9

## 6. CONWALL or LITTIMORE PARISH, 1610.

Dowdell Campbell,	—	—	1622	Bishop of Cloyne, 1679.
Patrick Sheridan,*	1660	1663	1668	
Roger Waring,	—	—	1679	Chancellor of Cloyne, 1693-1730.
Edward Sayers,*	1686	—	1692	
Benjamin Spier,	—	—	1702	Bishop of Killalee 1798, of Waterford, 1810.
William Spier,	—	—	1720	
John Whittingham,	1736	1746	1753	
Joseph Stock,	1763	—	1779	
John Ellison,*	1766	—	1793	
Joseph Steadford,	1790	1807	1810	
Charles Bayton,	1821	—	1833	
Henry Kingsmill,	1828	—	1836	

Annuity awarded to Incumbent, . . . £787 19 8  
 Compensation for loss of Advowson, . . . 6,338 10 1

\* This mark denotes that the Incumbent held another living successively.

NAME.	Date of Election to Fellowship.	Date of Co-optation.	Date of Acceptance of Honorary Office.	CORRESPONDENCE.	APPENDIX XX List of Donors - Honorary Members in the Papers of Trinity College.
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## II.—DIOCESE OF RAPHOE—continued.

## 7. KILMACRENNAN RECTORY, 1610.

John Vaux, . . .	—	—	1622	Bishop of Clogher, 1796, of Ossory, 1799.
John Leslie, . . .	—	—	1692	
Philip Townsend, . . .	—	—	1702	
Monson Wye, . . .	—	—	1705	
Matthew Leslie, . . .	—	—	1709	
Caleb Cartwright, . . .	1794	—	1743	Dean of Achoury, 1812.
Hugh Hamilton, . . .	1751	—	1744	
William Balmington, . . .	—	—	1767	
Thomas Tormon, . . .	1765	—	1777	
Arthur Henry Kenny, . . .	1800	—	1810	
Anthony Hastings, . . .	—	—	1812	
Henry Martin, . . .	—	—	1865	

Annuity awarded to Incumbent, . . . £591 9 0  
 Compensation for loss of Advowson, . . . 2,165 7 10

## 8. BANTROCKY or BANT RECTORY, 1610.

William Fulton, . . .	—	—	1693	Bishop of Waterford, 1691. Presented by the Crown.
Nathaniel Foy, . . .	1671	1673	1678	
Moses Davis, . . .	—	—	1691	
John Hall,* . . .	1685	1699	1713	Archdeacon of Cork.
James King,* . . .	1720	1726	1736	
John Olin,* . . .	1728	1739	1746	
John Stokes,* . . .	1745	1759	1775	
John Feeney,* . . .	1769	—	1782	
William Jephson, . . .	—	—	1783	Archdeacon of Raphoe, 1812.
John Waller, . . .	1768	1786	1791	
John Usher, . . .	1790	—	1799	
John B. Chapman, . . .	1829	—	1836	
William A. Butler, . . .	—	—	1842	
James Byrne, . . .	1848	—	1848	Bishop of Meath, 1851. Presented by the Crown. Archdeacon of Raphoe.
Joseph H. Singer, . . .	1810	1840	1850	
Frederick Gould, . . .	—	—	1852	
James W. Irwin, . . .	—	—	1868	

Annuity awarded to Incumbent, . . . £370 13 0  
 Compensation for loss of Advowson, . . . 3,889 5 2

## 9. TULLAGHMORE RECTORY, 1610.

William Conyngham, . . .	—	—	1622	Bishop of Cloyne, 1694, of Down, 1696.
Tobias Pullen, . . .	1671	—	1677	
— . . .	—	—	1682	
Alexander Knox, . . .	—	—	1708	Archdeacon of Raphoe, 1796.
John Foster, . . .	1734	1743	1750	
Henry Mercier, . . .	1740	1753	1757	
Thomas Wilder, . . .	1744	1758	1759	
Michael Kearney, . . .	1757	1789	1778	
Cornelius H. Usher,* . . .	1794	—	1814	
Charles Boyton, . . .	1821	—	1836	
William Atkins, . . .	1843	—	1844	Dean of Ferns, 1862. Resigned shortly after his appointment.
John R. Leslie, . . .	1858	—	1863	
John Gwynn, . . .	1863	—	1863	

Annuity awarded to Incumbent, . . . £1,166 2 8  
 Compensation for loss of Advowson, . . . 5,784 5 1

\* This mark denotes that the Incumbent held another living simultaneously.

APPENDIX  
XX.List of Bachelors  
formerly  
in the Patent  
age of Trinity  
College.

NAME.	Date of Election to Fellowship.	Date of Co-optation.	Date of Acceptance of Recctor.	Observations.
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## III.—DIOCESE OF KILMORE.

## 10. KILLERHANDEA RECTORY, 1763.

William Martin, .	1746	1761	1764	Archdeacon of Ardagh 1854, of Kilmore 1866. Died 1878.
William Hales, .	1769	—	1787	
John C. Martin, .	1831	—	1831	

Annuity awarded to Incumbent, . . . £1,037 8 2.  
 Compensation for loss of Advowson, . . . 9,768 7 7.

## IV.—DIOCESE OF DOWN.

## 11. KILFERMAN RECTORY, 1754.

John Foster,* .	1754	1743	1767	Bishop of Raphoe, 1819, Archbishop of Dublin, 1822. Presented by the Crown.
William Day,* .	1774	—	1789	
Richard Black,* .	1779	—	1791	
William Magee,* .	1788	1789	1812	
Peter Carleton, .	—	—	1813	
Edward Hincks, .	1815	—	1826	
Edward B. Moran, .	—	—	1857	

Annuity awarded to Incumbent, . . . £618 12 6  
 Compensation for loss of Advowson, . . . 4,231 9 5

## V.—DIOCESE OF CLOGHER.

## 12. ACHALVURCHES RECTORY, 1610.

Robert Whitlaw, .	—	—	1613	Surrendered in 1633.
Richard Howlett, .	—	—	1634	
Gervase Thorne, .	—	—	1638	
[James Johnston, (Dean of Ossington)]	—	—	—	Ejected 1641.
William Dunkin, .	—	—	1661	Instituted on Presentation of Trinity College Dublin.
Adam Nixon, .	—	—	1690	do. do.
Thomas Ebdon, .	1700	—	1717	do. do.
William Gore (Dean), .	—	—	1722	
John Hamilton, .	1713	—	1724	Instituted on Presentation of Trinity College Dublin.
William Thompson, .	1713	1723	1729	do. do.
Richard Radcliffe, .	1744	—	1754	do. do.
Robert Lorr, .	1744	—	1766	do. do.
William Ogle, .	—	—	1767	do. do.
Robert Russell, .	1790	—	1794	Ob. 1837.
George Sidney Smith, .	1831	—	1838	Rector of Drumagh, 1867.
Maurice F. Day, .	—	—	1867	Dean of Limerick, 1868. Bishop of Cashel.
William S. Burnside, .	—	—	1868	

Annuity awarded to Incumbent, . . . £750 11 10  
 Compensation for loss of Advowson, . . . 5,141 16 5

\* This mark denotes that the Incumbent held another living simultaneously.

NAME.	Date of Election to See.	Date of Co-optation.	Date of Acceptance of See.	ORIGINATIONS.	APPENDIX II. List of Bishops formerly in the Patronage of Trinity College.
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## V.—DIOCESE OF CLOGHER—continued.

## 13. CLOGHER RECTORY, 1610.

James Slacks, . . .	—	—	before 1623	and in 1631.	
Edward Slacks, . . .	—	—	1633		
George Farther, . . .	—	—	1634	Presented by the Crown.	
(or Fether)					
John Talc, . . .	—	—	—	Deprived 1661.	
(during Commonwealth)					
Andrew Hamilton, . . .	—	—	1662		
James Auchinleck, . . .	—	—	1663		
Robert Smith, . . .	—	—	1665	(Ob. 1665) Instituted on Presentation of T. C. D.	
William Mullart, . . .	1666	—	1707		
John Dennis, . . .	1697	—	1713	1721†	
Thomas Foester, . . .	1736	1746	1746		
William Gore, . . .	—	—	1746	Bishop of Clogher, 1746, of Ely, 1752, of Lincolns, 1775.	
Thomas Colclough, . . .	—	—	1758	Presented by the Crown vice Gore made Bishop.	
Lancelot Low, . . .	—	—	1766		
John Ellison,* . . .	1786	—	1784	Rector of Conwell, 1783.	
Hon. Percy Jocelyn, . . .	—	—	1795	Bishop of Ferns, 1806, of Clogher, 1820.	
Hon. Richard Ponsonby, . . .	—	—	1810	Bishop of Derry.	
John Sweny, . . .	—	—	1813		
William Alex. Willock, . . .	1849	—	1854		

Annuity awarded to Incumbent, . . .	£905	5	10
Compensation for loss of Advowson, . . .	5,639	8	3

## 14. DERRYVULLEN RECTORY, 1610.

James Hargrave, . . .	—	—	1612	Bishop of Kilfenora, 1630.	
William Dickenson, . . .	—	—	1638		
Thomas Marshall, . . .	—	—	1639		
Robert All, . . .	—	—	—	Deprived 1661.	
(during Commonwealth)					
John Leslie, . . .	—	—	1669	Instituted on Presentation of Trinity College Dublin.	
William Graham,* . . .	1697	—	1701	do. do. (Rector of Cappagh, 1705)	
John Kearney, . . .	1712	—	1719	do. do.	
Hon. Charles Oulfield, . . .	—	—	1724	(Son of William, Viscount Charlemont.)	
Patrick Delany, . . .	1709	1719	1729	Dean of Down, 1744.	
John Kearney, . . .	1712	—	1719		
Thomas McDonnell, . . .	1737	—	1744		
William Meade, . . .	—	—	1763		
Richard Godley, . . .	—	—	1767		
John Slacks, . . .	1784	—	1791		
Hugh Nevin, . . .	—	—	—		
George Miller, . . .	1789	—	1804	Master of Armagh School.	
William Thomas Lett, . . .	1847	—	1849		
John Young Rutledge, . . .	1850	—	1857	Rector of Armagh, October, 1855.	
Richard Verschoyle, . . .	—	—	1855		

Annuity awarded to Incumbent, . . .	£889	5	11
Compensation for loss of Advowson, . . .	8,194	8	11

\* This mark denotes that the Incumbent held another living simultaneously.



APPENDIX

B.K.

List of Bishops  
and Clergy  
in the Diocese of  
Trinity College.

NAME.	Date of Election to Episcopate.	Date of Co-optation.	Date of Accession to Bishopric.	QUANTITIES.
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## V.—DIOCESE OF CLOGHER—continued.

## 15. ENDSKILL (secular name) INISKERN (ecclesiastical name) RECTORY, 1610.

James Black,	—	—	before 1622	and in 1631.
John Smith,	—	—	1633	Instituted on Presentation of Trinity College Dublin.
Robert Skelton,*	—	—	1661	do. do.
(or Skelton)	—	—	—	(On some records he is called Skelton.)
William Vincent,	1660	—	1660	Instituted on Presentation of Trinity College Dublin.
Richard Grange,	1678	—	1683	do. do.
Ezekiel Webb,	—	—	1684	do. do.
Thomas Smith,	1677	—	1692	(Bishop of Down 1692. George Smith, when appointed Bishop
William Greene,	—	—	1695	master of Exeter, 10 March, 1692, was by the same Patent
Andrew Mitchell,	—	—	1696	made Rector of Exeter for life.
Caleb Cartwright,	1724	—	1743	Rector of Kilmacrossan.
Samuel Vincent,	—	—	1743	—
Samuel Lindsay,	—	—	1750	—
William Dobbin,	1759	—	1768	—
Thomas Smith,	—	—	1772	—
Thomas R. Robinson,	1814	—	1821	—
Hon. John C. Macle,	—	—	1825	—
William Connor Magee,	—	—	1850	Dean of Cork, 1854. Bishop of Peterborough, 1858.
Samuel Green,	—	—	1854	—

Annuity awarded to Incumbent, . . . £563 5 2  
 Compensation for loss of Advowson, . . . 5,274 14 1

## VI.—DIOCESE OF ARMAGH.

## 16. CLONON RECTORY, 1610.

George Lee,	—	—	1605	Dean of Cork, 1605
Gilbert Sutton,	—	—	—	—
— Bp.,	1617	—	1619	April 3, resigned in June.
Robert Maxwell,	1617	—	1619	June, and 1623 by Crown. Bishop of Kilmac 1661.
Henry Leakey,	—	—	1623	—
Abel Walsh,	—	—	1632	—
William Darragh,	—	—	1632	Killed in the Rebellion of 1641.
Thomas Hingworth,	—	—	1663	—
Stephen Gyles,	—	—	1668	C.
Andrew Nesbit,	—	—	in 1679	—
William Delgadino,	—	—	1686	C.
Robert Hoskins,	—	—	1727	C.
James Stewart,	—	—	1731	C.
James Richardson,	—	—	1735	C.
William Chichester,	—	—	1736	C.
Edward Lill,	—	—	1739	C.
Thomas Radcliff,	—	—	1791	C.
James Montgomery,	—	—	1797	C.
Nathaniel Smith,	—	—	1803	C.
Wm. Coddington,	—	—	1823	C. Evicted on Quare Impedit.
John Burk,*	1781	—	1826	Instituted.
William Atwell,	—	—	1843	Instituted.

Annuity awarded to Incumbent, . . . £316 4 0  
 Compensation for loss of Advowson, . . . 2,513 1 1

\* This mark denotes that the Incumbent held another living simultaneously.

† In the Episcopal Visitation Book, in the handwriting of Primate Bramhall, the name is written twice Robertus Skelton; but in that of 1668 Skelton.

NAME.	Date of Election to Fellowship.	Date of Acceptance.	Date of Acceptance of Bishopric.	Comments.
Anthony Walswright,	1615	—	1617	Sep. 16. Resigned October 23.
Robert Usher,	1611	—	1617	Provost, 1622. Bishop of Kilmore 1635.
John Richardson,	1600	—	1617	Bishop of Ardagh, 1631.
Thomas Bradley,	1618	—	1627	Presented by Crown.
William Vincent,	—	—	1626	(He was not an Englishman. Dr. Staines had a grant of Ardagh for the use of Wm. Vincent.
Thomas Wilkinson,	—	—	in 1629	
Edward Walsington,	1676	—	1682	
Christophus Jeamey,	—	—	1686	
Richard Bender,	1683	—	1697	Christophus Jeamey was Rector in 1701.
George Berkeley,*	1707	1717	1724	Bishop of Cloyne, 1738.
John Shadwell,	—	—	1724	
Robert Berkeley,*	1724	—	1732	
Jonathan Rogers,	1716	1724	1741	
Gabriel Stokes,	1756	—	1760	Chancellor of Waterford, 1798-1806.
Robert McGhee,	—	—	1802	
Thomas Ellington,	1782	1795	1806	Provost 1811. Bishop of Limerick, 1825, of Loughlin and Ferns, 1834.
Thomas Meredith,	1805	—	1812	
Edward Hinde,	1813	—	1819	
William Phelps,	1817	—	1826	He resigned his Fellowship in 1822 but did not get a bishopric till 1826.
James Kennedy,	1817	—	1830	
William E. Meade,	—	—	1864	

Annuity awarded to Incumbent, . . . £585 11 2  
 Compensation for loss of Advowson, . . . 2,379 4 10

## 18. CLOUGHMONEY RECTORY, 1828.

Robert V. Dixon,	1838	—	1853	
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Annuity awarded to Incumbent, . . . £1,563 14 7  
 Compensation for loss of Advowson, . . . 11,701 2 8

## 19. CLOSURE RECTORY, 1610.

George Lee,	—	—	1623	
Thomas Crane,	—	—	1619	
Joseph Traversa,	1624	—	1634	
Patrick Sheridan,	1640	1665	—	Bishop of Cloyne, 1679.
Francis Marsh,	—	—	165—	Bishop of Limerick.
Henry Maxwell,	1683	—	1667	Presented by Crown.
James Downham,	—	—	1668	
William Pollard,	1668	—	1681	Bishop of Cloyne, 1692, Archbishop of Cashel, 1694.
Benedictus Vigors,	—	—	1681	Instituted on Presentation of T. C. D. Bishop Ferns.
Peter Drellinsworth,	—	—	1680	Presented by Crown.
Robert Echlin,	—	—	1722	
John Walsley,	1703	1713	1723	Instituted on Presentation of Trinity College Dublin.
Charles Stewart,	1730	1730	1738	do. do.
Henry Clarke,	1734	—	1745	do. Reg. Prof. of Div. 1743.
William Lodge,	—	—	1777	Coll.
William Andrews,	1747	1761	1777	Instituted on Presentation of Trinity College Dublin.
William Richardson,	1760	—	1783	do. do.
Francis Gervais,	—	—	1820	Collat. Evicted on suit of Quare Impedit.
William Davenport,	1794	1812	1822	Instituted on Presentation of Trinity College Dublin.
James Wilson,	1800	1820	1823	do. do.
Henry Griffin,	1811	—	1820	do. Bishop of Limerick 1833.
Joseph Stevenson,	—	—	1854	Presented by Crown.

Annuity awarded to Incumbent, . . . £206 7 2  
 Compensation for loss of Advowson, . . . 9,538 7 8

\* This mark denotes that the Incumbent held another Rectory simultaneously.

## APPENDIX

## XX.

List of Bishops formerly in the Patronage of Trinity College.

NAME.	Date of Election to Fellowship.	Date of Co-optation.	Date of Appointment of Benefice.	CONSERVATIVES.
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## VI.—DIOCESE OF ARMAGH—continued.

20. ARBOR HERTON, 1610.

— Bins, . . . . .	1617	—	1619	April 3. Resigned in June.
Robert Maxwell, . . . . .	1617	—	1619	June.
Henry Leakey, . . . . .	—	—	1623	
William Darragh, . . . . .	—	—	1632	Killed in Rebellion of 1641.
Thomas Wilkinson, . . . . .	—	—	—	
Edward Walkington, . . . . .	1676	—	1682	Bishop of Down, 1695.
Christopher Jenney, . . . . .	—	—	1695	Presented by Crown.
George Berkeley,* . . . . .	1707	1717	1724	Bishop of Cloyne, 1733.
William White, . . . . .	—	—	1724	
Hon. Charles Canfield, . . . . .	—	—	1737	
Thomas Ferguson, . . . . .	—	—	1748	
John O'Connor, . . . . .	—	—	1773	
Richard B. Vincent, . . . . .	—	—	1794	
Francis Hall, . . . . .	—	—	1804	
John Darcy, . . . . .	1823	—	1832	
James T. O'Brien, . . . . .	1830	—	1837	Bishop of Ossory, 1842.
Thomas McNeese, . . . . .	1836	—	1842	Abp. King's Lecturer in Divinity.
William Lee, . . . . .	1839	—	1863	Do. do. Archdeacon of Dublin 1864.
William De Burgh, . . . . .	—	—	1864	
Thomas Jordan, . . . . .	—	—	1867	

Annuity awarded to Incumbent, . . . . . £595 13 8  
 Compensation for loss of Advowson, . . . . . 2,207 16 1

Arbor and Glencoe Rectories were united 6 July, 1624, by Francis Hampton, with consent of the Provost and Fellows of Trinity College Dublin. The union, however, does not seem to have been long maintained.

## 31. DEMENTON RECTORY, 1610.

William Swan, . . . . .	—	—	1614	
Robert Fairfull, . . . . .	—	—	1620	
John Keriff, . . . . .	1631	1644	1637	Driven away in Rebellion of 1641. Dean of Clonsilla, 1641.
— . . . . .	—	—	—	
John Cheevers, . . . . .	—	—	before 1648	before 1679.
Thomas Wardman, . . . . .	—	—	1699	Instituted on Presentation of Trinity College Dublin.
John Morris, . . . . .	—	—	1694	do. do.
Theodore Maurice, . . . . .	—	—	1700	do. do.
Richard Debs, . . . . .	1734	—	1731	do. do.
James Lowry, . . . . .	—	—	1745	do. do.
John Buck,* . . . . .	1781	—	1787	do. do.
Thomas H. Porter, . . . . .	—	—	1842	do. do.

Annuity awarded to Incumbent, . . . . . £637 3 9  
 Compensation for loss of Advowson, . . . . . 5,132 10 3

July 8, 1636. The advowson of this Rectory was exempted in the regnate of the See archiepiscopal.

\* This mark denotes that the Incumbent held another Rectory simultaneously.

TABLE II.

LIST OF FELLOWS OF TRINITY COLLEGE who have retired upon COLLEGE LIVINGS since 1750.

APPENDIX

XX.

List of Fellows of Trinity College who have retired upon College Livings since 1750.

NAME.	Retired Fellow.	Co-opted.	Accepted Benefice.	Name of Benefice.	NAME.	Retired Fellow.	Co-opted.	Accepted Benefice.	Name of Benefice.
John Pellam, . . .	1737	9	1738	Ardsney.	George Miller, . . .	1736	-	1804	Dunysyrol.
John Whitehead, . . .	1736	1746	1738	Canwall.	John Usher, . . .	1736	-	1749	Bohe.
James Knight, . . .	1738	-	1738	Drumragh.	Robert Russell, . . .	1736	-	1754	Aghalinden.
Henry Munier, . . .	1740	1753	1757	Tullymagish.	Joseph Stanford, . . .	1736	1807	1809	Canwall.
Thomas Walter, . . .	1744	1758	1758	Tullymagish.	Henry Murray, . . .	1736	-	1757	Clontarf.
Thomas Leland, . . .	1746	1751	1751	Ardsney.	Corn. Henry Usher, . . .	1734	-	1812	Clontarf.
William Martin, . . .	1746	1751	1754	Killeshandra.	William Dinscott, . . .	1735	1812	1822	Clontarf.
John Stokes, . . .	1747	1750	1773	Rahy & Clontarf.	Richard H. Nash, . . .	1736	1844	1880	Ardsney.
William Anderson, . . .	1747	1751	1777	Clontarf.	James Wilson, . . .	1736	1820	1823	Clontarf.
Hugh Hamilton, . . .	1751	-	1754	Killeshandra.	Arthur H. Grey, . . .	1736	-	1829	Killeshandra.
Thomas Wilson, . . .	1752	1757	1758	Ardsney.	Thomas Meredith, . . .	1740	-	1842	Ardsney.
George Stokes, . . .	1750	-	1758	Ardsney.	Henry Griffin, . . .	1741	-	1850	Clontarf.
Michael Kennedy, . . .	1757	1759	1778	Tullymagish.	Edward Black, . . .	1742	-	1850	Ardsney.
William Dobbin, . . .	1759	-	1758	Canwall.	Thomas B. Holman, . . .	1744	-	1850	Canwall.
John Forsyth, . . .	1759	-	1758	Rahy & Clontarf.	William Phelan, . . .	1747	-	1850	Canwall.
John O'Connor, . . .	1759	-	1758	Ardsney.	James Kennedy, . . .	1747	-	1850	Ardsney.
Joseph Stokes, . . .	1759	-	1758	Canwall.	Henry H. Harris, . . .	1749	-	1850	Canwall.
Thomas Torrey, . . .	1759	-	1777	Killeshandra.	James E. O'Brien, . . .	1750	-	1850	Canwall.
Geordie Fitzgerald, . . .	1759	7	1806	Ardsney.	John C. Martin, . . .	1751	-	1850	Canwall.
William Richardson, . . .	1759	-	1758	Clontarf.	Charles Boyce, . . .	1751	-	1850	Canwall.
John Elson, . . .	1759	-	1758	Canwall.	John H. Chapman, . . .	1752	-	1850	Canwall.
John Walker, . . .	1759	1759	1759	Canwall.	John Dwyer, . . .	1752	-	1850	Canwall.
William Hale, . . .	1759	-	1757	Killeshandra.	Henry Knapton, . . .	1752	-	1850	Canwall.
William Day, . . .	1774	-	1758	Drumragh and Killeshandra.	George Selby Smith, . . .	1753	-	1850	Canwall.
George Hall, . . .	1777	1750	1800	Ardsney.	Thomas M'Gee, . . .	1753	-	1850	Canwall.
Richard Stock, . . .	1779	-	1759	Drumragh and Killeshandra.	Robert V. Dixon, . . .	1753	-	1850	Canwall.
William Hamilton, . . .	1779	-	1758	Canwall.	William Lee, . . .	1753	-	1850	Canwall.
John Burt, . . .	1781	-	1757	Canwall.	William Atkins, . . .	1753	-	1850	Canwall.
Thomas Whittington, . . .	1781	1758	1806	Ardsney.	James Macdonald, . . .	1754	-	1850	Canwall.
Robert Barrow, . . .	1782	-	1756	Canwall.	William T. Lee, . . .	1754	-	1850	Canwall.
John Stokes, . . .	1784	-	1751	Dunysyrol.	James Byrne, . . .	1754	-	1850	Canwall.
William Magor, . . .	1788	1750	1818	Canwall & Killeshandra.	William A. W. Black, . . .	1754	-	1850	Canwall.
					John Young Rathbone, . . .	1755	-	1850	Canwall.
					John Greyson, . . .	1755	-	1850	Canwall.

TABLE III.

TABLE showing some particulars of the application of the Provost and Senior Fellows to the Church Temporalities Commissioners for Compensation for loss of Advowsons, and the Sums awarded by the Commissioners.

Application of the Provost and Senior Fellows to the Church Temporalities Commissioners for compensation for loss of advowsons.

NAME OF BENEFICE.	Net Annual Income of Benefice.	Age of Occupant.	Compensation awarded.
	£ s. d.		£ s. d.
Clontarf, . . .	1,040 6 7	69	9,238 7 8
Ardsney, . . .	895 13 8	45	5,307 15 1
Drumragh, . . .	1,173 3 0	63	9,415 8 7
Baymossy, . . .	796 3 1	45	3,889 5 2
Canwall, . . .	373 15 3	63	3,513 1 1
Aghalinden, . . .	730 11 10	55	5,141 16 5
Desertree, . . .	637 1 3	68	5,132 10 3
Killeshandra, . . .	638 5 7	63	5,374 14 1
Killybegh, . . .	612 0 6	59	4,231 9 5
Canwall, . . .	907 13 5	53	3,839 8 3
Ardsney, . . .	1,450 3 11	53	8,891 14 8
Dunysyrol, . . .	1,084 5 11	60	8,194 8 11
Killeshandra, . . .	891 5 2	32	2,153 7 10
Killeshandra, . . .	1,047 7 3	72	9,748 7 7
Canwall, . . .	1,254 2 4	49	7,591 14 11
Clontarf, . . .	334 2 0	36	1,232 12 5
Clontarf, . . .	511 10 7	38	5,218 16 9
Canwall, . . .	770 15 5	67	4,335 10 1
Ardsney, . . .	886 7 7	38	2,379 4 10
Tullymagish, . . .	1,188 13 7	41	5,784 5 1
Clontarf, . . .	1,374 7 4	57	11,791 3 8

TABLE IV.

TABLE showing approximately the NET VALUES of the following BENEFICES, and the several incomes of the Three Grades of JUNIOR FELLOWS at the dates at which they respectively became vacant.

	VICAR.	Net Value.	Share of TUTORIAL FUND.		
			Senior Grade.	Middle Grade.	Junior Grade.
		£	£	£	£
Ardsower, . . .	1847	200	833	640	427
Cappagh, . . .	1840	798	808	644	429
Chapman, . . .	1853	1,255	645	484	323
Derryvalley, . . .	1857	703	588	441	304
Drumagh, . . .	1867	732	696	522	348
Raymond, . . .	1849	833	808	644	429
Chernish, . . .	1854	671	637	478	319
Tullygoob, . . .	1863	734	637	478	319

To these sums should be added £121, being the average amount paid by the Bursar to each of the Junior Fellows out of the funds of the College in 1851. See Report of Dublin University Commission, 1853, pp. 134-136.

APPENDIX  
XXI.

Memorandum stating the amount of compensation paid to Trinity College, for the loss of its Advowsons, by the Church Temporalities Commissioners, under the provisions of the Irish Church Act, and the application thereof.

MEMORANDUM stating the AMOUNT of COMPENSATION PAID to TRINITY COLLEGE, for the loss of its Advowsons, by the Church Temporalities Commissioners, under the provisions of the Irish Church Act, and the application thereof.

## I.

The sum received as Compensation for the eighteen Advowsons granted to Trinity College by the Letters Patent of King James I., dated August 28, 1610, was £95,207 2s. 6d.

(See Parliamentary Paper, dated July 31, 1874, House of Commons, No. 346, p. 14, in which the sum paid for each Advowson is stated.)

The Board of Trinity College, acting under the advice of Counsel, invested the above sum of £95,207 2s. 6d., in the purchase of £104,560 0s. 5d., New Three per Cent. Stock.

The annual interest paid on this Stock is £5,136 16s.

## II.

The amount received from the Church Temporalities Commissioners as compensation for the three Advowsons of Kilskeady, Kildrough, and Clontarf, formerly purchased by the College, and paid for out of the Cate Commission, was . . . £25,700 19 8

Add interest on the entire Advowson Compensation Money received from the Commissioners, from July 1, 1869, to date of payment (deducting Income Tax), . . . 16,722 6 11

Add interest on Deposit Receipts for Advowson Fund, received from Bank of Ireland, December 12, 1872, to March 28, 1873, . . . 710 12 10

Add Half-year's Interest on £68,660 18s., being part of the old Crown Advowson Fund (vested in Government Stock, due 5th October, 1873, net, . . . 1,319 15 0

Making together the sum of, . . . £44,453 14 5

(See Parliamentary Paper at above, p. 14).

If this sum had been invested in Government Stock, as was done with the Compensation for the eighteen Advowsons stated above, the amount of New Three per Cent. Stock purchased thereby would have been £45,313 10s. 8d., and the annual interest thereon would have been . . . 45,449 7 11

Add the above amount of interest arising from the eighteen Advowsons, . . . 5,136 16 0

And the entire annual revenue which the College would have received from the Advowson Compensation Money would have been . . . £4,586 5 11

## III.

The Board of Trinity College were advised by Counsel that as the Advowsons of the three last mentioned Benefices had been purchased with funds taken from the Cate Commission, the Board were not bound to invest the Compensation money paid for them in the Government funds; but that they were at liberty to apply this Compensation money, as well as the interest derived from the whole Advowson fund, to the general purposes of the College. They therefore decided to allocate these payments towards the purchase, from the Church Temporalities Commissioners, under the 32nd section of the Irish Church Act, of the entire rentcharge payable on the Estates of the College.

The total annual amount of rentcharge payable to the Commissioners was, . . . £21,671 12 3  
Deduct average amount of Poor Rates, . . . 145 1 1

Net annual amount of Rentcharge, . . . £21,427 12 2  
Twenty-two and a-half years' purchase on this sum, . . . £474,621 2 10

As before stated, a part of this, the purchase-money, namely, £44,453 14s. 5d., was provided out of the Compensation paid for the three Advowsons, along with the amount of interest stated above, and the balance, £10,167 18s. 5d., was paid out of the general funds of the College. The College, by this payment, secured immediate exemption from the rentcharge just mentioned; but as this annuity (or, to be quite exact, an annuity larger by 23 6s. 8d., into which the rentcharge annuity could have been converted, under the second part of 32nd section of the Irish Church Act, just referred to) would have come to an end in fifty-two years without any payment, in order to calculate the real beneficial increase to the funds of the College arising from such immediate payment, there must be deducted from the aforesaid annual sum of £21,427 12s. 2d. such a sum as, if invested at any 3½ per cent., would reproduce the sum of £474,621 2s. 10d., paid for the rentcharge to the Temporalities Commissioners at the end of fifty-two years.

The calculation is as follows:—  
Annual terminable rentcharge as above, . . . £21,427 12 2  
Deduct annual sinking fund, which, at 3½ per cent., would repay the purchase-money in fifty-two years, . . . 415 5 6

Real beneficial increase to the income of the College from the payment of the sum of £474,621 2s. 10d. to the Commissioners, . . . 2,012 6 6

The portion of this increase, arising from the sum of £14,453 11s. 6d. (being Compensation for the three Advowsons and interest on the whole Advowson fund, as above stated, is £1,657 15s. 6d. The actual annual increase, therefore, to the College funds, arising from the payment for Advowsons, may be stated thus—

(c). Interest on the Government Stock, purchased with the payment for the eighteen Advowsons, . . . £3,135 16 0

(d). Increment of revenue arising from the application of the Advowson payment (including interest), to the redemption of Tithes such charge, as just shown, . . . £1,637 16 0

Total, . . . £4,774 12 0

(Signed), JOSEPH CARSON, *Serjeant*.

Trinity College,  
February 8, 1878.

APPENDIX  
XXI.

Memorandum  
showing the  
amount of  
compensation  
paid to Trinity  
College, for the  
loss of its  
advowsons, by  
the Church  
Temple  
Commissioners.

## APPENDIX XXII.

APPEAL of the FELLOWS, in HOLY ORDERS, of TRINITY COLLEGE, DUBLIN, heard before Viscount Meach, Mr. Justice Lawson, and the Master of the Rolls, on the 3rd of June, 1873. Judgment was reserved and delivered on the 20th December, 1873.

APPENDIX  
XXII.

Appeal of the  
Fellows, in  
Holy Orders,  
of Trinity  
College,  
Dublin.

THE MASTER OF THE ROLLS, upon the sitting of the Court, proceeded to deliver judgment (\*)—

In this case several of the Fellows of Trinity College in Holy Orders, namely, the Rev. Mr. Stibbe, the Rev. Mr. Gray, and the Rev. Mr. Mahaffy, have appealed from a decision of Mr. Justice Lawson, who disallowed their claims to compensation which were made under the 46th Section of the Irish Church Act, 1859. The facts upon which these claims were made, and upon which this appeal rests, are not disputed. Under Ancient Patents, or Grants from the Crown, the Corporation of Trinity College was, at the passing of the Irish Church Act, in 1859, the owner of a considerable number of Advowsons; the most presentation in each of which, upon avoidance, would be tendered to the Fellows of the College in rotation, according to seniority, in conformity with a usage of such ancient standing and such uniform observance, that we may take it to have the force of law. Several of these livings existed in annual value the income derivable from any of the Fellowships which the Appellants enjoy; and, therefore, it may be taken that if the Irish Church Act had not passed, there was a possibility or a probability, of one of these livings being tendered to the Appellants, or some one of them, varying more or less, according to the age and health of the incumbent for the time being, and of the expectant.

We are disposed to think that this right, though one somewhat difficult of definition, is a right of succession within the true meaning of that term; and, therefore, the question is, whether the Irish Church Act has given the right of claiming compensation for the loss thereof. It is clear enough that a Fellow of Trinity College in Holy Orders is neither the holder of a benefice nor the holder of a cathedral prebend; giving these terms the fullest significance, and the interpretation of them in the Irish Church Act is of the widest character. But it is argued that they were ecclesiastical persons, and, therefore, that they came precisely within the letter of the 46th Section of the Statute, and that as such they are thereby given the right to claim compensation for the loss they sustain by the right of presentation being taken from the College.

This question then turns entirely upon the true construction of the Statute. Now one of the very first canons of construction in reference to the interpretation of a statute is, that general terms made use of in it are to be construed with regard to its context; and nothing can be so opposed to principle and authority as the abstract assertion that, because a general term, according to ordinary meaning, includes or embraces a particular thing or class within it, it must have that meaning in any statute or written instrument in which it happens to be used. No doubt, as a general rule, the ordinary grammatical meaning is to be given; but the context of the statute or written instrument can always serve to show—may, more, to demonstrate, that the term is used in a more restricted or different sense than under-

stood ordinarily or in popular signification. Often in a statute, words which, standing by themselves, are capable but of one wide and clear construction, are shown, by reference to other portions of the same statute, and sometimes actually by reference to statutes in *pari materia*, to have a meaning so restricted and different from that which a mere perusal of them in the place where they are found would indicate, that the restricted and fettered interpretation of them which is enforced becomes perfectly startling to the unprofessional reader, until the reasons for such interpretation are clearly laid before him. Lord Justice Turner, the very highest authority, in *Bonhôte v. Gathard*, 6 De G., M. & G., p. 21, after observing that in construing Acts of Parliament the words which are used are not alone to be regarded, and that regard must be had to the intent and meaning of the Legislature, says that the best summary of the law upon this subject is to be found in the following passages, which are quoted from *Stoddard v. Morgan* in *Florida*, Vol. I., p. 139, "In which it is said that the Judges of the law in all times past have so far perceived the intent of the makers of statutes, that they have expounded Acts which were general in words to be but particular;" and after referring to several cases the report contains the following remarkable passage, at p. 206: "From which cases it appears that the signs of the law here- tofore have construed statutes quite contrary to the letter to some appearance, and those statutes which comprehend all things in the letter they have expounded to extend but to some things, and those which generally prohibit all people from doing such an act they have interpreted to permit some people to do it, and those which include any person in the letter they have adjudged to reach some persons only; which explications have always been founded upon the intent of the Legislature which they have collected, sometimes by considering the cause and necessity of making the Act, sometimes by comparing one part of the Act with another, and sometimes by foreign circumstances; so that they have ever been guided by the intent of the Legislature, which they have always taken, according to the necessity of the matter, and according to that which is consonant to reason and good discretion." Taking the law as so settled, let the statute and question be examined in its entirety and in detail. It is perfectly manifest that every ecclesiastical person, in the wide sense of that term, was never intended to be included in the provisions of this Act of Parliament. If that were so, one would expect to find clauses for the compensation of such persons, but none such exist. The compensation claims, apart from the 46th Section, are carefully worded so as to embrace only the special classes of "Ecclesiastical Persons" therein particularly described, which are: "Every holder of any Archbishopric, Bishopric, benefice, or cathedral prebend," in or connected with the Church which was about to be disestablished, and every curate, as defined

\* Mr. Robinson, Q.C., and Mr. Mahaffy, appeared for the Appellants. The Solicitor-General and Mr. Nichol, Q.C., appeared for the Crown.

## APPENDIX

XXII.

Agent of the  
Fellows, in  
Holy Orders,  
of Trinity  
College,  
Dublin.

by the 15th Section of the Act; and it seems a strange proposition, that the Statute in its 46th Section has shown its apparent policy to the whole and numbered within it every ordained clergyman. Now one of the consequences of holding this position would be, that an ordained clergyman who had purchased an advowson before the passing of the Act, would, because he had the right to present himself on the next vacancy to the benefice, be entitled to compensation for his right of succession; while the same person would, as a matter of course, under the 15th Section, get full compensation for the loss of his advowson, which would include in it the same next presentation, thus getting compensation twice over for the next presentation. In truth, the 46th Section, if one regards its provisions and the interpretation clauses of the Act, plainly seems to indicate that the right of succession must be one flowing from or connected with some office or ecclesiastical preferment in the Church about to be discontinued; and this will appear more clearly by examining the several sections of the statute in which the term "ecclesiastical person" occurs. The first section in which this term occurs is the 16th, where the use of the term is by the very context limited in its meaning and application. The words are: "Without the consent of the ecclesiastical person under whose such section or other officer may be serving at the time of the application being made for consecration."

In the 20th Section it is used twice, and there it is equally plain that it is used in a restricted sense. In Section 23 it is again used in the same way as only including those ecclesiastical persons entitled to consecrate, and who have agreed to consecrate. Again, it is used in the 27th Section in the same restricted manner. The use of the term in the 30th Section is a strong instance of the same limited meaning assigned to it in the Act of Parliament.

Then comes the 46th Section, which is as follows:—"The Commissioners shall ascertain whether the Chancellor and Prochancellor of Christ Church, Dublin, or any other Ecclesiastical Persons, are or are not entitled to any right of succession in the benefices of Kilcullen, Kildare, Saint Mary, Saint Thomas, and Saint George, Dublin, or any other benefice or benefices, and if entitled, shall award to them, respectively, such sum in compensation for the same as shall seem to them just."

Now, entirely apart from the interpretation clause, I should, on the general rules of construction, be prepared to hold that, inasmuch as the right of compensation in the *intestates* quoted in the Section is expressly given as connected with offices or preferments in the Church, the words "or any other" ought to receive interpretation according to the rule "*quod est generis*;" for that construction alone would make the meaning of the 46th Section to be in unison with all the other provisions of the Statute; why, if ALL ecclesiastical persons were to be compensated for supposed loss of succession should the language of the Statute be so peculiar? But when the interpretation clause is examined it will be found that "ecclesiastical persons" must be construed as one holding a benefice or cathedral preferment as defined by the Statute, and out of, or by virtue of which the right of succession springs. Now this view is not merely aided, but actually enforced, by the following considerations:—The Fellows of Trinity College claim their right of succession, not by virtue of any benefice or cathedral preferment, but simply by their being members of a lay corporation entitled to the advowson, whose usage has been to offer the next presentation to the senior member of the corporation holding the position of Fellow, and who being in Holy Orders is competent to fill the benefice. The Act of Parliament, by its 15th Section, gives to the corporation itself the fullest

measure of compensation for the entire advowson, which of course covers the very next presentation, to the right of succession to which compensation is claimed by individual members of the corporation. It seems to me that the Fellows of Trinity College, though in Holy Orders, are not entitled to claim compensation under the Act; in other words, that the claim for compensation by the individual members of the corporation cannot be made good against the property vested in the Church Commissioners, but is, if it at all exists, a matter of adjustment between them and the corporation itself. A good deal of reliance during the argument was placed on the words in the recital in the statute, viz.—"all just and equitable claims." I do not think that this recital, having regard to the way in which it is used, helps the contention; but it would appear more just and equitable that where the entire advowson vested in the corporation is compensated for by payment in full to the corporation, a right to a next presentation, vested in a member of that corporation, should be adjusted by the corporation, out of the funds it has got as compensation, rather than that the same thing should be dolefully paid for, an intention which it is most difficult to impute to the Legislature. It appears to me, that to hold that the words "ecclesiastical persons" in the 46th Section are to be restricted to persons holding a benefice or cathedral preferment, as defined by the Act, accords with the general intent and provisions of the Statute, and in, having regard to the interpretation clauses, and the rules of construction I have referred to, absolutely required.

Nothing is of such frequent occurrence in our reports as words used in a statute, apparently in a most general sense, being restricted to their meaning. These cases are almost countless. I have selected a few of them which stand in different points of view, but the principles of which converge to illustrate what I have said, and the principles upon which our decision in this case must be founded.

By the Statute of the 3rd and 4th Vict., c. 105, a judgment is made an equitable charge in favour of the creditor against all the property of the debtor mentioned in it; viz. lands, tenements, tithes, hereditaments, &c., of or to which the debtor was, at the entry of judgment, seized or possessed for any estate or interest whatever, either at law or in equity. *Larger words cannot be conceived*; and it was held even in this country, where the incumbent could actually charge his benefice, that ecclesiastical rectories were not within the term "tenements." Why? Because in an earlier section of the same Act of Parliament, dealing with a wholly different matter, the word "rectory," though used apparently in the most general manner, was shown by the context to be confined to lay rectories.

The then Lord Chancellor of Ireland had held for a considerable time the opposite view; holding that the general words of the 22nd Section should get their full force and meaning; but he was obliged (when the matter was reviewed in the Court of Appeal in *Chancery Bank*), yielding to the rules I have mentioned, to reverse all his previous decisions, and to hold that the general meaning of the word "rectory" was to be restricted, and that lay rectories only were within the 22nd Section. That case will be found reported in *Swain v. Fleming*, 14 Irish Chancery Reports, p. 23.

Applying the principle of the argument here, that our right justly be quoted as establishing that an ecclesiastical rectory was not a rectory, a simple *refutatio ad absurdum*; but it established no such thing; it established that an ecclesiastical rectory was not a rectory within that particular Act of Parliament. Now, again, by the Statute 13 & 14 Vict., c. 28, a judgment, when registered as prescribed by the Statute, is given in the most express language the same effect as if the creditor had executed a mortgage, and as if that mortgage had been duly registered in the Deeds Registry Office. It was held in the Court of Chancery in this country, and in the Court of Appeal in Chancery here, that the judgment so registered as a mortgage

to a priority over the previously executed deed of the creditor, affecting the same property which remained unregistered, and of which the judgment creditor had not notice, because it was said that the language of the statute admitted no other interpretation; but all these decisions were reversed by the House of Lords in the case of *Eggs v. McDonald*, and from which it is plain that a great misapprehension occurred in this country in not attending to the rule, that general words or general terms in a statute are to be controlled or restricted as well by the context of the statute itself, as by that of all those statutes that were previously passed in *pari materia*; and it was demonstrated by the most perfect logical reasoning, that upon the true construction of the statute, when taken together with the 1 & 4 Vic. c. 105, that a judgment creditor, notwithstanding the strong and apparently unambiguous words I have referred to, took by the registration of his judgment nothing but what remained after giving full effect to all the dispositions of the debtor, including even those which were unregistered. The case of *Rex v. Jephson*, 3 Ell. & Bl., p. 880, illustrates the same principle. By an Act of the 37 of the 7 & 8 Geo. IV., chap. lxxv., a local and personal but public Act for regulation of the watermen and lightermen in the River Thames between Yantlet Creek and Windsor, a penalty is imposed on any one who, not being a freeman of the Watermen's Company or an apprentice, shall act as a waterman or lighterman, or ply, or work, or navigate, or cause to be worked or navigated, any wherry, lighter, or other craft, from or to any place, or ship, or vessel, for hire. It was held that a steam tug was not within the term "craft." Mr. Justice Erie says, p. 901: "I am also of opinion that the Appellant has incurred no penalty, in other words, that he has not worked or navigated any wherry, lighter, or other craft, within the meaning of the 37th Section; what he has done is to navigate a steam tug in moving a vessel, and the question is whether that is within the words of the section. All turns upon the wide term 'craft;' it is said that this may include a steam tug, and as it says, But it is a general rule that when a word of wide signification follows others of a signification less wide, it must be interpreted as having a meaning bringing it within the same class as those others." That was no doubt a case of a penalty sought to be imposed on the instance of a body seeking to establish an exclusive monopoly; but the principle of construction laid down by Mr. Justice Erie is one of general application. Of course it was perfectly absurd to suppose that a steam tug was not comprised within the term "Craft;" but that was not the question at all; the question was, was it within the meaning of the term "craft" as used in the section of the Act upon which the question turned? So here the question is not, whether the Rev. Mr. Stebbins, the Rev. Mr. Grey, and the Rev. Mr. Mahaffy are not ecclesiastical persons, but are they within that term as used in the 46th Section of the Irish Church Act of 1869? Again, in the case of *Jephson v. Barnes*, 7 Ell. & Bl., p. 115, it was held that an itinerant labouring man attaching his mark to a contract by which he engaged to make as many bricks as required in a certain field, and who actually with his own hands assisted in the making of the bricks, was not an "ARTIFICER" within the meaning of that term as used in the Truck Act, 1 & 2 William IV., c. 37, as he was not *notum* personally to do any part of the work.

Now that statute is a most beneficial one—made for the protection of workmen. It enacted that in all contracts for the hiring of any *workmen* in the trades enumerated, or for the performance by any artificer of any labour in any of those trades, the wages of such artificer shall be paid in the current coin of the realm, and not otherwise; in its 3rd Section, it enacted that every payment by goods or other, otherwise than by giving current coin, should be illegal, null, and void.

The interpretation clause was as follows:—

"That in the meaning and for the purposes of the

Act, all workmen, labourers, or other persons in any manner engaged in the performance of any work, employment, or operation, of what nature soever, in or about the said trades shall be then deemed 'artificers,' and that within the meaning, and for the purposes of the Act, any money or other thing had or contracted, to be paid, delivered, or given as a remuneration, reward, or remuneration for any labour done or to be done, whether within a certain time or to a certain amount, or for a time or an amount uncertain, should be deemed and taken as the wages of such labour." Nothing could apparently be stronger than these words; yet it was held in the Court of Queen's Bench, certainly with some expression of doubt, but afterwards unanimously in the Exchequer Chamber, that although the brick-maker was not paid in money, but by goods tickets, yet that the payment was good—the brick-maker not being an Artificer within the meaning of the Act—upon the ground that the whole context of the Act showed that the term "artificer" was intended only to apply to those who are actually or personally engaged or employed to do the work; in other words bound personally to execute it, that is, to cases of master and labourer.

The argument used in that case was very much the same as that used here—namely, that the letter of the Act of Parliament was clear, and that it should get its full and unrestricted meaning. No doubt, as an abstract proposition, it was ridiculous to say that the brick-maker was not an artificer; but that was not the question; the question was, was he an artificer within a particular Act of Parliament, which is an entirely different matter.

The latest case in which it was sought to lay hold of general words, is a curious one, *Neesham v. Briggs*, 4 L.R. C.P. The People's Representation Act of 1867 enacts, that every man with certain qualifications shall be entitled to the franchise. The 13 & 14 Vic. c. 21, section 4, Lord Brougham's Act, enacts, that in all Acts words importing the masculine gender shall be deemed and taken to include females, unless the contrary as to gender is expressly provided. It was vehemently contended that these women were entitled to the franchise; but, applying the general rules of construction above referred to, the Court held, entirely apart from the question of legal incapacity, having regard to the whole context of the statute and of the previous Act, in *pari materia*, that "men," notwithstanding Lord Brougham's Act, should be read as "male persons." These cases I have mentioned out of many, not to fortify or supplement my views upon the statute itself, as to which I have no doubt, but through respect for the legal arguments urged before us, and to make more intelligible a rule of law, which though perhaps easily understood by lawyers, does not win its way to the minds of unprofessional persons. The application of the rule in the present instance works no mischief. The Corporation of Trinity College have got compensation for a subject matter which includes the very thing upon which the Appellants, Members of the Corporation and claiming as such, here base their right, and it does not impinge to the Legislature the novel intention of awarding double compensation for the same thing. As well upon principle as upon authority we are of opinion that the claimants, who are Fellows of Trinity College in Holy Orders, are not ecclesiastical persons within the meaning of the 46th Section, and, therefore, that this appeal should be disallowed.

Mr. Justice Lush, in delivering judgment, said:—

In this case I concur with his Honour the Master of the Rolls, and after his very full judgment, it is scarcely necessary for me to add anything; but I desire briefly to state the view of the 46th section of the Irish Church Act, upon which the question turns.

That section provides for compensation to any other ecclesiastical person "besides those specially named, entitled to any right of succession to any benefice. Now, independently of the interpretation clause altogether, and supposing the word to stand unmodified

APPENDIX  
XXII.  
Appeal of the  
Fellows in  
Holy Orders  
of Trinity  
College,  
Dublin.



## APPENDIX

## XXIII.

Appeal of the  
Fellows in  
Holy Orders of  
Trinity  
College,  
Dublin.

ed by any glossary, I should hold, that the right of succession spoken of next, having regard to the context, and the whole frame of the Act, mean a right incident to the ecclesiastical status of the person in the Church. In the case named, of the Chancellor and Prebendaries of Christ Church, it means a right of succession to which, by virtue of the Chancellorship or prebend, the holder was entitled. Applying the *quidam generis principia*, the word "other" must receive that construction. These ecclesiastical offices were abolished by the Act, and the scheme of the Act is to give compensation for the loss of the office itself, and of any right to succeed to another office incident to the office held. It never could be held to apply to any right of succession belonging to a person in holy orders, growing out of the exercise of a right of patronage by the owner of an advowson entitled to compensation under the 18th section of the Act. The owner of that advowson may be charged with a duty or trust to present a particular person on the next avoidance, and the person so presented must be a clerk in holy orders, but his right to be presented does not grow out of his ecclesiastical status, but out of a special relation between him and the patron of the living. Thus, if a clergyman is himself the owner of an advowson, he may present himself on the next avoidance; but that is not a right of succession under the 46th section, but a matter to be considered in calculating the value of the advowson under the 18th section. I have always so held, and have disallowed such claims when presented under section 46. The same principle must apply where, instead of the clergyman being himself the owner of the advowson, another is owner of it with a trust or duty to present him. The Act provides that the entire capital value of the advowson is to be paid as compensation, and it would be absurd to hold, first, that the entire sum representing the value of the advowson should be paid to the owner or trustee, and besides that persons having rights as against him should be compensated out of the funds of the Commissioners, instead of out of the capital sum representing the entire value of the advowson. Now, applying that to the present case, how does the matter stand? The Corporation of Trinity College, consisting of the Provost, Fellows, and Scholars, have a number of advowsons, a sum of over £120,000 has been ascertained to be the value of these advowsons, and has been

paid over to the corporation, and now represents these rights. Then it appears that by a usage of the corporation certain members of it, the Fellows were entitled in a certain order to be offered the presentation to these livings—that gives them a right, but not a right growing out of their ecclesiastical status, but incident to their office of Fellows, the being in holy orders being a necessary qualification for the enjoyment of the right. The status of Trinity College, and of its Fellows, is not affected by the provisions of the Church Act; but the College, like any other person, loses its advowsons and has been compensated for the loss, and the individual members of the corporation, who have subordinate rights against the corporation, must assert them against the sum paid to the corporation, in respect of these advowsons. I am very far from saying that the Fellows have not such a right. I only decide that they have it not against the Commissioners, first that would be to make them pay for the same thing twice.

But the interpretation clause removes all doubt upon the matter. If the word ecclesiastical person in the 46th section had remained unexplained, it would have excluded from compensation under that section lay members of Catholic corporations, who were entitled to succeed to other Catholic preferment, and therefore, the interpretation clause makes an ecclesiastical person include a person holding a Catholic preferment as thereinafter defined, which means a vicar-church or chaplain. We, therefore, decided that the claimants of Christ Church, though laymen were ecclesiastical persons within the meaning of the Act. The same interpretation clause says the word ecclesiastical person shall mean, any Archbishop, Bishop, or person holding any benefice; thus excluding from it persons in holy orders who do not fill any of those positions.

It appears to me, therefore, to be clear that a Fellow of Trinity College in Holy Orders, as such, is not an ecclesiastical person within the 46th section of the Act.

Lord VINCOURT MORICE concurred in the judgments already delivered, and stated that although the appellants had not succeeded, yet, as the case was a fair one for argument, the Commissioners would allow them their costs.

## APPENDIX XXIII.

Reverend JOSEPH A. GALBRAITH, F.R.C.D., to the EARL of BELMONT.

Trinity College,  
14 March, 1878.

DEAR LORD BELMONT.—With reference to the recommendation of the Commissioners that an election to one Fellowship, and one only, should be held every year, I have made the following calculations, which show that the number of Fellows existing under such a system will never be so great at any period as to cause a serious strain on the funds of the College.

I assume as the law of mortality that which is expressed in Finlason's Table (Male Life, Observation 20), on which, I believe with one exception, all Government dealings involving life contingencies are now conducted.

TABLE I.

NUMBER OF SURVIVORS

At the termination of six five-year periods, and three succeeding ten-year periods.

V.	X.	XV.	XX.	XXV.	XXX.	XL.	L.	LX.
34,000	26,069	24,005	19,137	14,562	14,425	7,077	2,922	123

Let this population be recruited each year after the first, by the entrance of 1,000 new men aged 20 years, the number of those surviving at the end of each period will be as follows,—

TABLE II.

V.	X.	XV.	XX.	XXV.	XXX.	XL.	L.	LX.
4,874	9,447	13,738	17,759	21,494	24,690	30,486	34,015	35,474

If these numbers be added to the foregoing, we get the following table, showing the state of the population at the end of each period.

TABLE III.							
V.	X.	XV.	XX.	XXV.	XXX.	XL.	LX.
34,000	33,946	33,686	32,873	32,319	31,809	31,397	30,448
							30,768
							33,539

Dividing these numbers by 1,000, we get the following, as representing the probable number of Fellows in the body, supposing one, and one only, of the average age of 26 years to be elected each year in and after 1879.

TABLE IV.							
1879.	1885.	1895.	1905.	1915.	1925.	1935.	1945.
34	33-966	33-686	32-873	32-319	31-809	31-397	30-448
							30-768
							33-539

The usual interpretation is to be put on these numbers, which seem to include fractions of an individual; for example, the figure 33-486 signifies that it is about an even chance that ten years hence there would be, under such a system of election, either 33 or 34 Fellows; whereas during the period (1903-1908) the figures 31-919 and 31-997 show that it is almost certain that the number of Fellows in the body would be 32.

The decline in the numbers for the last twenty-five years is plainly due to the great accumulation of lives of the same age at one point, viz., four states and six fifty-sevens in immediate succession.

In sixty years the present body will be exhausted, after that the probable number of Fellows will be 35-5, that is to say, it will fluctuate evenly within small limits on either side of this number.

In order to select a Life Table which from past experience will best enable us to estimate the future number in the body on the proposed plan of election, I have endeavored to obtain, with the aid of the College records, as near an approximation as possible to the mean after-life time, commonly called the "expectation of life," which has been enjoyed after obtaining Fellowship. With this view I selected a period of 100 years (1734-1833), during which 122 Fellows were elected; of these one still survives; the ages of two at death I could find no means of ascertaining. The ages of the remaining 119 at the time of election were as follows:—

TABLE VI.							
Age.	Fishman.	Carlisle.	Equitable Experience.	Institute of Actuaries.	Church Experience.	Healthy Districts.	English Life.
24	36-4	39-0	38-8	39-1	41-6	40-6	36-8
24-8	36	38	38-9	39-5	41	40	36-2
25	35-9	37-8	39-1	39-4	39-9	39-6	36-1

From these figures it appears that the law of mortality of the Fellows of Trinity College, so far as it can be judged of by this mode of estimation, agrees most nearly with the Government Table, and Farr's English Life Table than with any of the others.

In order to form an estimate of the probable mean age of obtaining Fellowship in future, we may take as a safe guide the experience of the last 50 years. During this period 59 Fellows were elected at the following ages, one at 21, three at 22, four at 23, ten at 24, eight at 25, eleven at 26, six at 27, five at 28, three at 29, three at 30, three at 31, one at 32, and

TABLE VII.							
1734.	1884.	1894.	1904.	1914.	1924.	1934.	1944.
34	34-105	33-963	33-843	33-083	32-660	32-121	31-619
							31-114

It appears, then, that if the Carlisle rate be assumed to correspond most nearly with the College experience, the number in the body, on the plan proposed, will never exceed an average of 37, and that an interval of 30 or 40 years must elapse before a necessity can arise for providing a permanent additional place.

From all these considerations, and provided a moderate reserve fund be maintained to meet con-

TABLE V.  
G at 21 years of age.—126 years lived before election.

4	23	"	86	"
26	23	"	298	"
23	24	"	552	"
20	25	"	801	"
17	26	"	442	"
10	27	"	270	"
6	28	"	168	"
4	29	"	116	"
3	30	"	90	"
2,823				"

The general mean of these ages is 34-79, say 34-8. The number of years lived by these 119 persons was 7,338, from which it appears that the number of years enjoyed collectively after election was 4,388, giving a mean of 36-87, with a probable error of 1-02. I shall now give the mean after-life time for the ages 24 and 25, according to the following Life Tables:—

Fishman (Male-life, obs. 20).  
Carlisle (Miles).  
Equitable Experience (Morgan).  
Institute of Actuaries.  
Church Experience (Hodgson and Brown).  
Healthy Districts (Farr).  
English Life (Farr).

And between the ages 24 and 25 interpolate the figures which correspond to 24-8, the mean age of obtaining Fellowship during this period.

one at 42. From these figures we obtain, as a general mean, 36-35, with a probable error of 0-65.

I have stated that in the estimation of the mean after-life time, 36-87, corresponding to the age 24-8, as deduced from the observation of 119 lives, there is a probable error of 1-02. If this error be taken in its additive sense, the mean after-life time will amount to 37-89, which is practically the same as that given by the Carlisle Table. I therefore think it right to give the result of a calculation, using that well known Table for the basis, similar to that which led to Table IV., compiled on the Government rate of mortality.

It appears, then, that the adoption of the plan of election to Fellowship recommended by the Commissioners, can never produce a serious strain on the funds of the College.

I remain, my Lord, yours faithfully,  
JOSEPH A. GALBRAITH.

The Right Honorable the Earl of Bessborough.

## APPENDIX XXIV.

BALANCE SHEET showing the INCOME and EXPENDITURE of the COLLEGE and UNIVERSITY, from 1872 to 1876, inclusive.

## Income.

	1872.	1873.	1874.	1875.	1876.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
RENTS—Old Crown Estate, net, . . .	33,567 8 7	30,113 5 0	30,547 11 10	37,047 8 5	36,188 1 3
Old Private Estate, net, . . .	2,484 6 10	2,334 8 7	1,900 0 2	2,508 7 7	2,323 7 8
Railway Estate, net, . . .	1,671 6 11	1,945 37 7	1,747 7 11	1,817 6 11	1,417 13 0
City Estate, net, . . .	1,437 8 2	1,378 7 8	1,409 10 0	1,328 0 10	1,333 13 3
	41,210 12 0	42,181 19 4	44,660 0 11	63,691 3 9	62,534 17 2
Donations, net, . . .	1,503 1 4	1,905 1 1	1,950 0 0	1,473 17 7	1,648 16 10
Dividends on Government Stock, . . .	1,200 0 0	1,300 0 0	1,500 0 0	1,200 0 0	1,300 0 0
Interest on Advowson Fund, . . .	—	—	3,136 10 0	3,104 16 0	3,138 16 0
REVENUE—Entrance Fees, . . .	1,200 7 6	1,187 7 6	1,286 15 0	1,276 8 9	1,343 18 0
Annual Payments, . . .	9,664 4 1	8,640 7 3	9,269 5 8	8,838 2 1	9,107 3 5
Sundry Payments, . . .	210 8 0	309 4 2	320 0 0	104 8 7	141 12 4
Degree Fees, . . .	2,650 16 0	3,740 1 6	3,885 12 0	3,167 11 0	2,945 9 6
Rents of Chambers, &c., . . .	2,106 18 11	2,070 15 0	2,005 19 11	1,993 13 5	2,019 1 0
Contingent Receipts, . . .	425 2 0	185 16 8	451 8 3	629 10 2	465 16 7
	59,830 11 7	61,323 10 8	66,676 8 6	65,084 0 10	64,771 4 7
Excess of Expenditure over Income, . . .	228 0 8	—	—	—	—
	60,108 12 3	—	—	—	—

## Expenditure.

	1872.	1873.	1874.	1875.	1876.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
SALARIES AND GENERAL PAYMENTS—					
Salaries of Provost, Fellows, and College Officers, . . .	6,603 16 4	6,640 15 0	6,734 4 4	6,823 5 0	6,865 15 0
Professors, except those in Professional Schools, . . .	3,430 0 0	3,255 0 0	3,680 0 0	3,680 0 0	3,620 0 0
Scholars and Non-Foundation Scholars, . . .	1,297 6 8	1,445 0 4	1,334 4 4	1,324 4 4	1,328 16 6
Stipendiaries, Exhibitions, and Medical Scholarships, . . .	2,632 11 8	2,635 1 8	2,730 5 0	2,787 11 8	2,854 10 2
Total Ordinary Salaries, . . .	13,963 13 8	13,970 17 0	14,488 13 8	14,830 1 0	14,669 1 11
Compensation to Provost and Senior Fellows for Recusal Fees, . . .	6,400 0 0	6,480 0 0	6,480 0 0	6,400 0 0	6,400 0 0
Examination Fees, and other Payments to Fellows and Professors, . . .	3,628 6 11	4,040 19 7	4,112 0 4	3,860 13 11	4,366 1 7
PROFESSIONAL SCHOOLS—					
Divinity—Salaries, . . .	2,632 0 0	2,633 0 0	2,632 0 0	2,632 0 0	2,632 0 0
Other Payments, . . .	199 2 0	128 2 0	128 2 0	148 1 0	111 6 0
Law—Salaries, . . .	1,200 0 0	1,220 0 0	1,220 0 0	1,190 0 0	1,220 0 0
Medicine—Salaries, . . .	1,371 15 0	1,490 10 0	1,708 0 0	1,823 4 0	1,773 0 0
Other Expenses, . . .	507 7 9	423 14 10	1,032 17 3	735 5 9	685 4 30
Engineering—Salaries, . . .	620 0 0	680 0 0	620 0 0	732 10 0	770 0 0
Other Expenses (including Natural Philosophy School, . . .	370 1 11	523 19 9	387 9 1	416 2 2	581 14 7
Library, . . .	1,423 15 1	2,213 19 1	2,437 8 3	2,612 8 11	2,668 2 0
Astronomical and Magnetic Observatories, . . .	314 15 0	837 18 9	1,732 7 10	506 11 11	78 12 8
Museum and Herbarium, . . .	227 2 9	159 14 4	274 19 9	295 0 7	381 1 3
Botanic Garden, . . .	1,142 8 0	1,033 8 6	1,085 18 10	575 10 1	515 4 7
Models and Pressures, . . .	1,207 17 6	1,863 5 6	1,341 18 0	1,267 10 0	1,217 12 6
Stationery and Printing, . . .	883 9 4	1,475 16 1	1,385 3 5	1,367 1 8	1,330 19 8
Expenses of Chapel and Choir, . . .	940 8 5	916 17 8	948 11 6	895 0 4	943 15 8
Schools, Presses, and Charities, . . .	1,291 19 2	1,309 19 8	1,191 7 4	1,748 13 0	1,713 19 11
Law Agent, External Auditor, and other Salaries, . . .	1,350 6 0	1,274 16 0	1,345 10 0	1,357 8 0	1,374 16 0
HOUSEHOLD EXPENSES—					
Allowances for Carriage, . . .	3,100 18 5	2,848 0 8	3,282 16 2	2,435 18 0	2,445 5 4
General Household Expenses, . . .	1,923 8 6	2,407 15 3	1,893 10 7	1,850 9 4	1,981 1 0
Postage and Sundry, . . .	1,744 0 0	1,359 8 6	1,875 12 0	1,280 10 10	1,012 13 0
Rents, Taxes, and Law Expenses, . . .	1,515 1 2	1,938 3 6	1,765 16 8	1,302 1 2	1,680 18 6
Loss by Income Tax, . . .	608 17 10	172 19 8	339 11 8	311 2 8	4 0 3
Extraordinary Expenses, . . .	1,669 11 6	747 14 3	655 1 0	666 0 9	832 12 2
Building, Maintenance of Buildings, and Interest, . . .	4,702 6 6	4,882 6 11	4,731 19 5	5,867 8 5	8,507 15 0
Bequests and Trust Funds, paid on account of, . . .	2,366 3 6	2,029 5 4	2,367 15 10	2,296 11 8	2,334 7 9
Investment of Trust Funds, . . .	3,414 3 11	401 19 0	—	—	321 15 5
	60,108 12 3	60,031 13 10	60,371 14 2	64,316 6 3	64,076 19 1
Balance to credit, . . .	—	1,221 16 10	4,304 14 8	767 14 7	684 5 0
	60,108 12 3	61,253 10 8	66,676 8 6	65,084 0 10	64,771 4 7

20th November, 1876.

JOSEPH CARSON, D.D., Secy.

## APPENDIX XXV.

## UNIVERSITY TESTS (DUBLIN).

APPENDIX  
XXVUniversity  
Tests (Dublin).

## CHAPTER 21.

An Act to abolish Tests in Trinity College and the University of Dublin. [26th May, 1873].

WHEREAS it is expedient that the benefits of Trinity College and the University of Dublin, and of the schools in the said University as places of religion and learning, should be rendered freely accessible to the nation:

And whereas by means of diverse restrictions, tests, and disabilities many of Her Majesty's subjects are debarred from the full enjoyment of the same:

And whereas it is expedient that such restrictions, tests, and disabilities should be removed:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. This Act may be cited as the University of Dublin Tests Act, 1873.

2. In the construction of this Act,—

The word "office" shall not, so long as the University of Dublin shall continue to teach and to grant degrees in the Faculty of Theology, apply to any Professor of or Lecturer in Divinity; but, save as aforesaid, the word shall include every professorship, assistant or deputy professorship, public readership, professorship, lectureship, assistant lectureship, provostship, fellowship, studentship, tutorship, scholarship, and exhibition, and also any office or emolument not in this section specified, the income of which is payable out of the revenues or income of the said university or college, or any of the schools therein, or which is held and enjoyed by any member of the same.

3. From and after the passing of this Act no person shall be required upon entering, or to enable him to exercise, any of the rights and privileges which may heretofore have been or may hereafter be exercised by students or graduates in the said university, or upon taking or holding, or to enable him to take or hold, any office in the said university or college as aforesaid, or upon teaching, or to enable him to teach within the said university or college, to subscribe to any article or formula of faith, or to make any declaration or take any oath respecting his religious belief or profession, or to conform to any form of public worship, or to do any act in connection with any form of public worship, or to belong to any specified church, sect, or denomination; nor shall any person be compelled in the said university or college to attend the public worship of any church, sect, or denomination to which he does not belong; and no person elected to a fellowship or any other office shall be deprived of his office by reason that he is not or does not become ordained in holy orders.

4. Upon the passing of this Act, the Act specified in the Schedule to this Act is hereby repealed to the extent in the third column of the said Schedule expressed.

## SCHEDULE.

Date of Act.	Title of Act.	Portion repealed.
33 Geo. III. c. 21. of the Parliament of Ireland.	An Act for the Relief of His Majesty's People of Roman Catholic subjects of Ireland.	So much of section 7 as enacts that and section the College of the Holy and Undivided Trinity, near Dublin.

## INDEX.

ACCOUNTS OF THE COLLEGE.—See Balance Sheet.

ADVOCATES.—Particulars of ecclesiastical patronage formerly connected with Trinity College, and manner in which the same was acquired; amount of compensation awarded therefor, pp. 2, 75. Mode of estimating value of an advowson, Ev. 491.

ADVOWSON FUND.—Amount, manner of investment and income thereof, Ev. 389, pp. 94, 95. Applicability thereof to Retirement Scheme, Ev. 556, p. 55. No direct claim thereon made by Committee of Synod, Ev. 165. Claims of Fellows in Holy Orders, Ev. 236, esp. pp. 59, 60. Claims of Non-Clerical Fellows, Ev. 348. Opinion of the Commissioners on these points, p. 5.

ARCHBISHOP KING'S LECTURER IN DIVINITY.—Date of Foundation of this Lectureship; duties, tenure, and salary of the office; amount of its endowment, pp. 5, 6, 72, 73. Statement of changes made since its foundation; sources of the salary, Ev. 383. Prospective loss to the college of this office, Ev. 302.

ASSISTANTS TO DIVINITY PROFESSOR.—Number of Assistants attached to Regius Professor and to Archbishop King's Lecturer respectively; by whom appointed; tenure of those appointed before 1870; of those appointed subsequently; duties and salaries of assistants; date of appointment of first assistant to Regius Professor, and to Archbishop King's Lecturer, pp. 6, 73.

ATTENDANCE, Evidence of Professor, pp. 33-34.

BALANCE SHEET.—Statement of income and expenditure of the College, from 1872 to 1876 inclusive, p. 100.

BEVERAGES.—See Livings.

BIBLICAL CHURCH.—Date of Foundation of Professorship; by whom appointed; salary, duties, and tenure of office, pp. 5, 6, 73.

BROADERING.—Number of Fellows promoted to, in four several periods since 1637; effect of such promotion in producing vacancies, p. 58.

BOARD.—Calculated ages of future members of, p. 58, Ev. 521-525. Proposal to increase number of, Ev. 7, p. 64. Objection to such increase, Ev. 534. Recommendation of Commissioners, p. 14.

CAPITALIZATION.—Suggestion that a capital instead of an annual sum should be paid by the College to the Representative Church Body, p. 63, Ev. 165. Rate of calculation thereof, Ev. 165. Rejection of this plan by Board of Trinity College, Ev. 380. Recommendation of Commissioners, p. 12. Opinion of Judge Flanagan and Mr. Porter, p. 15.

CAPITATION FEE.—Suggestion that College should pay a fee for each student educated in Divinity, Ev. 268, 269.

CARSON, Evidence of Rev. J., B.D., S.T.C.D., pp. 38-42.

CATHOLICAL LECTURER.—Nature of; attended by Roman Catholic Students, Ev. 365, p. 77.

CATEGORY.—Date of institution of this office; salary, duties, and tenure thereof; by whom appointed; number of his assistants; when first appointed, p. 77.

CELEBRATE.—Statute of, 53 Geo. III., Ev. 48, 50. Reference therein to right of succession to livings on part of Fellows, Ev. 237, 238, p. 60. Effect of repeal thereof, Ev. 43-45, 276, 277, p. 58.

CHURCH OF IRELAND.—Statement of its claims with reference to the Divinity School, pp. 61-63. Arguments in support thereof, Ev. 160-236.

COLLEGE CHAPEL.—Services in, required by statute, Ev. 380, p. 63. Recent alterations in arrangements for services, Ev. 512.

COUNSEL.—Opinion of, as to application of Advowson Fund, Ev. 380.

DEANS.—Duties of Senior Dean, Ev. 505; of Junior Dean, Ev. 504, 506, 513. Appointment of a Dean of Residence suggested, Ev. 510.

DEACONAL FELLOWSHIP.—See Fellowships.

DEACONS.—Meaning of, p. 7, note. Application of a portion thereof to payment of Archbishop King's Lecturer. Objections to such application thereof by Judge Flanagan and Mr. Porter, p. 13.

DEACONS IN DIVINITY.—Exercises for, and mode of conferring, pp. 7, 50, 57, 70. Fees for, p. 76. Necessity of granting, imposed by charter, p. 63. Various alterations proposed, Ev. 81, esp. 145, 137, esp. 296, 581, esp. 460. Recommendation of Commissioners, pp. 11, 12.

DIVINITY, REGIUS PROFESSOR OF.—Date of Foundation of this office unknown, p. 6, Ev. 231. Duties, tenure, and salary, pp. 5, 6, 72, 76. By whom appointed, pp. 5, 72. Statement of changes made in salary, pp. 6, 75. Prospective loss to the College of this Professorship, Ev. 302.

DIVINITY SCHOOL.—Historical sketch of; first connexion with Church of Ireland; Establishment on present footing; attended by Presbyterians and other Dissenters; dangers likely to occur from separation from the College; such separation not desired, pp. 63, 64, 69, Ev. 234, 286, 456. Increase in numbers after 1853, Ev. 304. Decrease after passing of Church Act, and recent signs of recovery, Ev. 171, 176. Various schemes for its future government, pp. 9, 10, Ev. 298. View of the Provost, Ev. 73. Proposal of Dr. Solomon, p. 71, subsequently withdrawn, Ev. 184. Opinion of Dr. Lee, Archbishop King's Lecturer, p. 69. Suggestion of Mr. Gray, Ev. 302; of Dr. Carson, Ev. 380; of Dr. Stubbs, Ev. 456; of Dr. Haughton, Ev. 470; of Mr. Poole, Ev. 484, esp.; of Dr. Traill, Ev. 541. Resolutions upon this subject passed by Board of Trinity College, and Divinity School Committee of Synod respectively, pp. 57, 62, 63. Recommendation of Commissioners, p. 11.

DOWN.—Evidence of Professor, pp. 33-36.

DAUNTON.—Case of advowson of, p. 60, Ev. 251, 536.

ECCLIASTICAL HISTORY, PROFESSOR OF.—Date of Foundation of this office; by whom appointed; tenure, duties, and salary thereof, pp. 6, 73.

ENDOWMENTS, SCHOLARSHIPS, RESIDENCES, and PRIZES given for special use of Divinity School, pp. 7, 8, 73, 74. Recommendation of Commissioners, p. 12.

EMMENT'S ACT, p. 101.—Effect of, discussed, p. 61, Ev. 303, 383, 512. Recognition therein of University as a place of religion and learning, Ev. 361, p. 101.

FELLOWS.—Original number of Senior and Junior Fellows; increase of number of Juniors to eighteen; further increase to twenty-eight; reduction of number to twenty-six; present number, p. 55. Average duration of life after election, and methods of calculation, Ev. 42, 521. Average standing of those who have accepted livings since 1840, Ev. 55. Suggestion to vary number, Ev. 62, p. 67. Income of Seniors, Ev. 21. Table showing average age of youngest and eldest Senior Fellow up to 1875, p. 58. Recommendation of Commissioners, p. 14. Probable result of this measure, p. 99.

**FELLOWSHIP.**—Table showing average duration of, before co-optation, p. 38, Ev. 521. Future average rate of succession to, and methods of calculating the same, Ev. 62, p. 99. Honorary Fellowships, Ev. 27, 331, p. 54. Temporary Fellowships, I, Septennial, pp. 65, 68, Ev. 19, *sup.* II, Decennial, p. 70. Opinion of Commissioners on this point, p. 14.

**FELLOWSHIP CANDIDATES.**—Death of vacancies for, Ev. 331, p. 55. Remedies suggested, pp. 60, 67, 68. Recommendation of Commissioners, p. 14.

**GALBRAITH.**—Evidence of Rev. J. A., F.R.C.D., one of the Commissioners, p. 54.

**GRAY.**—Evidence of Rev. T. T., F.R.C.D., pp. 28-35.

**HART.**—Evidence of A. S., Esq., LL.D., S.R.C.D., Vice-Provost, pp. 21-22. Statement of, p. 67.

**HADGISTON.**—Evidence of Rev. S., B.E.C.D., pp. 45-46.

**HERRIS, PROFESSOR OF.**—Duties, tenure, and salary of this office; when and by whom endowed; by whom appointed, p. 77.

**HONORARY FELLOWSHIP.**—See Fellowships.

**JUDGMENT OF MASTER OF THE ROLLS UPON CLAIM OF FELLOWS IN HOLY ORDERS.** pp. 95-97. Judgment of Mr. Justice Lawson, p. 97. Remarks thereon, p. 90, Ev. 336, *sup.*

**LECTURE.**—System of, in Divinity, Ev. 172. Fees paid for, after Sen. Soph. year, Ev. 203. Tables showing attendance at, from 1828 to 1876 inclusive, p. 78.

**LECTURE ROOMS.**—Proposal that Divinity School should continue to have use of; advantages of this plan, Ev. 77, 313. Recommendation of Commissioners, p. 11. Dissenting opinion of Judge Phelan and Mr. Porter, p. 15.

**LETTERS PATENT.**—Of 8 James I., granting eighteen advowsons to the College, pp. 79, 84. Of 3 Geo. III., granting authority to purchase four advowsons; of 1 Geo. III., Ev. 226, 331. Of 53 Geo. III. See Colliery, Statute of.

**LETTER.**—Royal, 53 Geo. III., containing dispensation to certain Fellows to marry, Ev. 43.

**LIVINGS.**—Table of, formerly in possession of Trinity College, showing disease in which situated, annuities granted to Incumbents, and compensation awarded to the College, pp. 2, 75. Table showing successive Incumbents of each living since its possession by the College, pp. 85, *sup.* List of Fellows who have accepted livings since 1750, p. 93. Average standing of Fellows who have accepted livings since 1810, Ev. 55. Proportion of College Livings so accepted, Ev. 51. Average number of vacancies produced by these livings, Ev. 526. Opinion of Commissioners on this point, pp. 3, 12. Exchange of livings, Ev. 549. Right of succession on part of Clerical Fellows, Ev. 252, *sup.*, pp. 53, 60.

**LLOYD.**—Evidence of Rev. H., B.D., Provost, pp. 17-22. Statement of, p. 66.

**LONGFIELD.**—Evidence of the Right Hon. Mountfort, LL.D., one of the Commissioners, p. 42.

**MAHAFFY.**—Evidence of Rev. J. F., F.R.C.D., pp. 28-35.

**MATTHEW.**—Compensation given to, for instruction in secular subjects, Ev. 197.

**OTHERS.**—Appointment of Dr., as Archbishop King's Lecturer, Ev. 385, 391, *sup.*

**ORTON.**—Right of, Ev. 240, 241.

**PAINTER.**—Evidence of A., Esq., F.R.C.D., pp. 37-38.

**PILKINGTON.**—Evidence of H., Esq., *q.c.*, pp. 23-28.

**POOLE.**—Evidence of Rev. H. B., F.R.C.D., pp. 40-42.

**PRIVATE ENDOWMENTS.**—See Endowments.

**PROFESSORS.**—Evidence of, who are not Fellows, pp. 35-38. Statement of, pp. 65-66. Their number, status, and disadvantages, as compared with Fellows; improvements required in their position, pp. 35, 36, 45, 60. Opinion of Commissioners that their case is not within scope of Commission, p. 15.

**QUEEN'S COLLEGE.**—Suggested admission of students of, to Divinity School, Ev. 190, 197, 253. Differences between, and Trinity College, as to 1. Degrees in Divinity; 2. Religious Instruction; 3. Attendance in Chapel, Ev. 380. Effect of opening of, on Trinity College, Ev. 495.

**RETIREMENT.**—Schemes of. Scheme proposed by Board of Trinity College, p. 56. By Junior Fellows, p. 59. Differences between these schemes, Ev. 548. Objections of Dr. Trill to scheme of Board, Ev. 552, 553. Suggestions of the Provost, Ev. 7, *sup.*, p. 64. Necessity for some such scheme shown, pp. 55, 58, Ev. 521-529. Sums required for adequate scheme, Ev. 553. Suggestion of Rev. T. Shack, S.R.C.D., as to means of providing retiring pensions, p. 68. Recommendation of Commissioners, p. 14.

**SALMON.**—Evidence of Dr., Regius Professor of Divinity, pp. 22-28. Letter of, to Registrar, pp. 71-72.

**SECURITIZATION.**—Disadvantages of, Ev. 385, 456.

**SEACK.**—Statement of Rev. T., S.R.C.D., Registrar, pp. 68-69.

**STAGNATION.**—Causes of, pp. 55, 58. Serious effects of, p. 55, Ev. 10, 285. Probable increase of, Ev. 521, *sup.* Remedies for, see Retirement. Instances of stagnation in the grades, Ev. 345, 537. Opinion of Commissioners upon this subject, pp. 5, 12.

**STERNE.**—Evidence of Ven. Archbishop, pp. 22-28.

**STURGE.**—Evidence of Rev. J. W., B.D., F.R.C.D., pp. 42-45.

**TESTIMONIALS.**—Table showing number of, granted from 1856-7 to 1870-7, inclusive, p. 72.

**TRAILL.**—Evidence of A., Esq., M.D., F.R.C.D., pp. 48-54.

**TUTORIAL SYSTEM.**—Description of former and of present systems; date of change, p. 4, Ev. 255, 390, 403, *sup.* Principles upon which the fees are divided, Ev. 406. Rate of progression under present system, Ev. 345, *sup.* Income of the different grades at different periods, Ev. 412, *sup.*, p. 94.

**TUTOR.**—Senior, Ev. 17, *sup.*, p. 60.

**VENTNOR.**—Chancellor of University, and Archbishop of Dublin, Ev. 553.

**WILLIAMSON.**—Evidence of B., Esq., F.R.C.D., pp. 48, 51.

**WYNNER.**—List of, p. 16.

**WRIGHT.**—Evidence of Professor, pp. 35-36.